STANDARD FORM NO. 64

Office Memorandum • UNITED GOVERNMENT

TO : DIRECTOR, FBI

DATE: October 12, 1950

FROM : GUY HOTTEL, SAC, WASHINGTON FIELD

SUBJECT: LOUIS CAMPAGNA, was., et al
BRIBERY, PAROLE MATTERS
Bufile 58-2000

Remylet June 1, 1950.

It has been determined at the U.S. Supreme Court that this case was argued before the Court on October 10, 1950 but that an opinion will not be rendered by the Court for the next few weeks.

This matter will be followed in the Supreme Court. P*.

cc-Chicago
-New Orleans (58-69)

TJJ:JMW
58-261

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STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: OCT. 10, 1950

FROM : SAC, CHICAGO

SUBJECT: LOUIS CAMPAGNA, was; etal
BRIBERY - PAROLE MATTER
(Bufile 58-2000)

U. S. Attorney OTTO KERNER, JR., Chicago, advised ASAC JOHN A. ROCHE that during the recent Kefauver Committee Hearings held in Chicago he had occasion to talk to Col. WHITE, an investigator for the committee who apparently was previously employed by the Narcotic Division. Upon this occasion, Col. WHITE informed Mr. KERNER that he had conducted some investigation for the Kefauver Committee at Kansas City and mentioned to Mr. KERNER that the "boys", referring to CAMPAGNA, GIOE and DE LUCIA, had held quite a party in Kansas City immediately after their release from the penitentiary. Mr. KERNER, being very interested in this information, queried Col. WHITE as to what he knew about the party. Col. WHITE then informed Mr. KERNER that he had received some information from two newspaper men, namely, a Mr. LINK who is connected with the St. Louis Globe-Democrat, and a Mr. SWIFT who is a reporter for the Kansas City Star, indicating that these three individuals were wined and dined immediately after their release from the penitentiary. Mr. KERNER thereafter contacted LINK and SWIFT independently and determined from them that to the best of their recollection a party was thrown upon the release of the three individuals mentioned above by TONY GIZZO of Kansas City. According to information furnished by them, they were of the opinion that the party was held at the home of TONY GIZZO and they were also of the opinion that the party was held on the evening preceding the actual release of these three individuals from the penitentiary. Mr. KERNER questioned these individuals quite closely in view of the fact that there was a great deal of investigation conducted by the Bureau relative to an alleged party which was supposedly held at the Hotel Muehlbach. These reporters were rather hazy about the alleged party but assured Mr. KERNER that they had notes relative to the investigations conducted by them at their respective newspapers, and they promised that upon their return to Kansas City and St. Louis respectively, they would look up the results of their investigations and furnish him with any information indicating the identities of any individuals allegedly attending a party in honor of these three parolees. Mr. KERNER pointed out to Mr. ROCHE that [redacted] under oath before the

b3

cc: Kansas City
St. Louis

JAR:MNW
58-194

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DIRECTOR, FBI RE: LOUIS CAMPAGNA

Federal Grand Jury [redacted] According to Mr. KERNER, he also questioned [redacted] under oath before the same Grand Jury, and [redacted]. In the opinion of Mr. KERNER, it is quite possible that a party was held on the night preceding the actual release of [redacted] held would have been with the approbation of Warden WALTER HUNTER of Leavenworth Penitentiary. b3

Mr. KERNER stated he was of the opinion that Warden HUNTER was directly tied up with these hoodlums and would not hesitate to permit them to leave the penitentiary for the purpose of attending a party if he, too, were invited. This is entirely surmise on the part of Mr. KERNER.

He also expressed the opinion that one, FRANCIS CURRY, and one, CHARLES FISCHETTI, could well be the subjects of prosecution for perjury if his present plans should materialize. Mr. KERNER proposes that if sufficient information is received from LINK and SWIFT, mentioned heretofore, to justify additional investigation at Kansas City and Chicago, he intends to request the Bureau to thoroughly investigate the charges with the thought in mind that he will return indictments for perjury against CAMPAGNA, GIOE, DE LUCIA, ACCARDO, BERNSTEIN AND GIZZO. In reference to CURRY and FISCHETTI who were not placed under oath before the Federal Grand Jury, Mr. KERNER contemplates bringing them before the present Grand Jury and questioning them with the thought of making them Government witnesses if they admit anything or subsequently charging them with perjury if they lie before the Grand Jury.

Mr. KERNER advised that he is fully aware of the political implications and stated he has given it serious consideration. He pointed out, however, that in his opinion, the present administration was in no way at fault in connection with the granting of paroles to the individuals involved. He mentioned that if criticism is warranted, in his opinion it should be directed toward Chairman WILSON of the Parole Board who granted the paroles; however, he stated that in view of Mr. WILSON's death, no criticism would be leveled at him at this time.

DIRECTOR, FBI RE: LOUIS CAMPAGNA

Mr. KERNER agreed to keep the Chicago Office advised of any developments in this connection, and upon receipt of any letter from LINK or SWIFT would consult further relative to requesting any investigation.

A review of this file reflects that the Kansas City Office conducted a diligent investigation of a party alleged to have occurred at the Hotel Muehlbach on the evening of August 12, 1947, the evening prior to the release of the aforementioned subjects. The report of SA RAYMOND W. RADFORD dated May 20, 1948, at Kansas City also reflects that according to [redacted] b7D (carried as a confidential informant in rerep), Warden WALTER HUNTER and TONY GIZZO had secured rooms and entertained women together at the Hotel President over a period of approximately one and one-half years, ending approximately in May, 1946. Both GIZZO and HUNTER when interviewed concerning this emphatically denied such an association. HUNTER and GIZZO denied knowing each other socially, and GIZZO stated he knew HUNTER only by sight.

In the report of SA RADFORD dated March 5, 1948, at Kansas City, it was reported that GIZZO denied being present at the Muehlbach Hotel with the subjects or seeing the subjects after their release from the Federal Penitentiary on August 13, 1947. He admitted talking with Attorney EUGENE BERNSTEIN at the Municipal Airport, Kansas City, on the afternoon of August 12, 1947. In the report of SA RADFORD dated March 26, 1948, it was reported that MIKE MADIO in company with GIZZO met BERNSTEIN at the Municipal Airport on the afternoon of August 12, 1947, and after leaving GIZZO at Kansas City, drove BERNSTEIN to the penitentiary at Leavenworth, Kansas. After a few minutes, he made the return trip with BERNSTEIN and drove him to the Hotel Muehlbach on the same day. MADIO stated he picked up BERNSTEIN on the following day, August 13, 1947, at the Hotel Muehlbach and drove him to the bus station at Leavenworth, Kansas, where parolees CAMPAGNA, GIOE and DE LUCIA were picked up and immediately driven to the Municipal Airport.

During the investigation by the Kansas City Office, SA JAMES MALLY interviewed Warden HUNTER and several other prison officials and inmates. None of those interviewed gave information which would indicate the parolees were not in the penitentiary throughout the entire evening and night of August 12, 1947, just prior to their release on the following day.

Form No. 3

THIS CASE ORIGINATED AT CHICAGO FILE NO. 58-194

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
CHICAGO, ILLINOIS	10/10/50	9/21,28;10/5/50	CHARLES E. STINE CES:ms

TITLE:	CHARACTER OF CASE:
LOUIS CAMPAGNA, Was., Et Al	BRIBERY PAROLE MATTERS

SUMMARY REPORT

SYNOPSIS: Summary of court actions arising out of attempts by U. S. Board of Paroles to revoke paroles of LOUIS CAMPAGNA, CHARLES GIOE and PAUL DE LUCIA set forth. CAMPAGNA's and GIOE's appeal of decision denying their release from prison by U. S. Circuit Court of Appeals at New Orleans to be argued before U. S. Supreme Court in the fall of 1950. All other legal action initiated by them described. Government's recent attempt to reopen case against PAUL DE LUCIA in U. S. District Court, Chicago, denied. Summary set forth.

- P* -

DETAILS: At Chicago, Illinois

The purpose of this report is to summarize and bring up to date the recent developments in this case arising out of the attempted revocation of paroles previously granted by the U. S. Board of Paroles to LOUIS CAMPAGNA, CHARLES GIOE and PAUL DE LUCIA, alias RICCA. This report is intended to cover only the court actions incidental to the case and does not attempt to cover the activities of the subjects since their release.

3D/95 SPSA/CW

Background

The subjects named in the foregoing paragraph and others, after trial by a jury in the United States District Court for the Southern District of New York, were sentenced on December 31, 1943, to terms of 10 years imprisonment, charging violation

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE		RECORDED AND INDEXED:
H R McSwain Jr		58-2000-2043	
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3 - Bureau (58-2000) 2 - Washington Field (58-261) 3 - Chicago		DEPARTMENT OF JUSTICE	JACKETED:
		ROUTED TO:	FILE

U. S. GOVERNMENT PRINTING OFFICE 7—1983

of the Antiracketeering Act. After serving only the minimum amount of time, they were on August 13, 1947, released on parole.

They remained on parole until July, 1948, when Judge FRED ROGERS, a member of the United States Board of Parole caused parole violator warrants to be issued. Subsequently, all subjects initiated and are continuing action to maintain their freedom from reimprisonment.

LOUIS CAMPAGNA

On July 21, 1948, as the result of the parole violator warrant mentioned above, LOUIS CAMPAGNA was apprehended and returned to the Federal Penitentiary at Atlanta, Georgia, on July 23, 1948. Prior to returning to the penitentiary, he had appeared before Judge JOHN P. BARNES, who denied his request for freedom on a writ of habeas corpus. On September 2, 1948, CAMPAGNA petitioned the U. S. District Court at Atlanta, Georgia, for his release on a writ of habeas corpus. On December 4, 1948, Judge E. MARVIN UNDERWOOD sustained a writ of habeas corpus for CAMPAGNA. He was released from the penitentiary 15 days later.

The government appealed the decision of Judge UNDERWOOD to the U. S. 5th Circuit Court of Appeals at New Orleans, which on November 12, 1949, reversed the decision of the lower court.

Thereafter CAMPAGNA petitioned the United States Supreme Court which on May 16, 1950, granted this petition for a writ of certiorari. United States Supreme Court records reflect that this case will not be argued before the court until the fall of 1950. Throughout these legal actions, CAMPAGNA is being represented by WILLIAM SCOTT STEWART, attorney, Chicago, Illinois, and his associate counsel, GEORGE F. CALLAGHAN.

In addition to the court case stated above arising out of the action in the United States District Court at Atlanta, Georgia, CAMPAGNA has also initiated two suits in the Circuit Court of Appeals at Chicago, Illinois, arising out of actions in the Federal District Court at Chicago.

Circuit Court of Appeals Docket No. 9709 is the case entitled "USA ex rel LOUIS CAMPAGNA vs THOMAS P. DONOVAN, Marshal." This case was an appeal by CAMPAGNA from the decision of Judge BARNES with respect to his ruling on his petition for a release from the custody of the U. S. Marshal on a writ of habeas corpus. On September 28, 1949, the Circuit Court formally entered an order denying the motion to dismiss this case without prejudice.

U. S. Circuit Court of Appeals Case No. 9710 is entitled "USA ex rel LOUIS

CAMPAGNA vs U. S. Board of Parole." This was CAMPAGNA's appeal from a decision by Judge SHAW (now deceased), U. S. District Court, Chicago, who denied his motion that the U. S. District Court review the action of the U. S. Board of Parole under the Federal Administrative Act. On September 28, 1949, the Circuit Court also dismissed this motion without prejudice.

Insofar as CAMPAGNA is concerned, therefore, the only case still pending (arising out of this action) is that in the United States Supreme Court. In this case he is joined by his fellow parolee, CHARLES GIOE.

CHARLES GIOE

On July 23, 1948, as the result of a parole violator's warrant signed by Judge ROGERS, CHARLES GIOE was apprehended at 5:30 a.m. in Chicago, Illinois, and returned to the Federal Penitentiary at Atlanta, Georgia, within a few hours. He did not appear in court in Chicago (as did CAMPAGNA) prior to his return to Atlanta.

Like CAMPAGNA, he petitioned the U. S. District Court at Atlanta, Georgia, for his release from prison on a writ of habeas corpus. At the same time Judge UNDERWOOD ruled in favor of CAMPAGNA he also made a similar ruling in GIOE's favor. In accordance with Judge UNDERWOOD's sustaining his motion for release, he was released from prison on December 20, 1948.

On November 12, 1949, the U. S. 5th Circuit Court of Appeals at New Orleans reversed Judge UNDERWOOD's decision. GIOE has appealed his case to the U. S. Supreme Court which, on May 16, 1950, granted a writ of certiorari. The Supreme Court calendar indicates that this will be argued before the court in the fall of 1950.

In addition to the above related case, GIOE also initiated a suit arising out of Judge SHAW's refusal to review the action of the U. S. Board of Parole under the Federal Administrative Act. Case No. 9712 at the U. S. Circuit Court of Appeals, GIOE's appeal from the decision of the lower court, was finally dismissed without prejudice on September 28, 1949, by the higher court.

Therefore, only the action now pending in the United States Supreme Court remains insofar as subject GIOE is concerned.

Chicago File 58-194

PAUL DE LUCIA

On July 15, 1948, the parole previously granted to PAUL DE LUCIA, alias RICCA, was revoked pursuant to the parole violator's warrant signed by Judge ROGERS of the Board of Paroles. On the following day he was apprehended and committed to the Cook County Jail at Chicago. He petitioned for his release to the United States District Court at Chicago, Illinois, and after many continuances and hearings before Judge MICHAEL IGOE, was released on November 23, 1948. Judge IGOE ordered his release when the government through Assistant U. S. Attorney JOHN P. LULINSKI elected to stand by its position that the acts of the United States Board of Parole were not subject to review by the U. S. District Courts.

The U. S. Attorney at Chicago then appealed the decision of Judge IGOE to the Circuit Court of Appeals, their Case No. 9788. On December 8, 1949, the Circuit Court of Appeals sustained Judge IGOE's decision.

On June 15, 1950, the United States Attorney at Chicago, Illinois, petitioned Judge IGOE for leave to plead over in connection with this case. On September 6, 1950, after oral arguments, the government's petition for leave to plead over was allowed, and the government was given until September 13 to file the petition; however, on September 29, 1950, Judge IGOE, after reviewing the petition, denied the government's motion for leave to plead over. He stated that he did not feel that he had jurisdiction in the matter for the U. S. Circuit Court of Appeals had affirmed his previous action and that in his opinion the matter now rested with the Circuit Court of Appeals, to which court a petition for leave to reopen the case should be directed.

Mrs. QUINLAN, Secretary to Assistant U. S. Attorney LULINSKI, on October 5, 1950, advised that the Attorney General had been notified of Judge IGOE's decision, and action in the U. S. Attorney's Office at Chicago, is being held in abeyance pending instructions from the Attorney General.

- P E N D I N G -

Chicago File 58-194

Lead Page

THE WASHINGTON FIELD DIVISION:

At Washington, D. C.

Will follow the cases now pending in the U. S. Supreme Court concerning LOUIS CAMPAGNA's and CHARLES GIOE's petition from the decision of the U. S. Circuit Court of Appeals at New Orleans.

Will report the results of the Supreme Court in these matters.

THE CHICAGO DIVISION:

At Chicago, Illinois

Will through occasional contacts with the office of Assistant U. S. Attorney JOHN P. LULINSKI follow the case against PAUL DE LUCIA.

REFERENCE: Chicago letter dated 6/21/50.

- P E N D I N G -

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: November 18, 1950

FROM : GUY HOTTEL, SAC, Washington Field

SUBJECT: LOUIS CAMPAGNA, was; Et Al
BRIBERY
PAROLE MATTERS
(Bufile 58-2000)

Remylet October 12, 1950.

On November 13, 1950 the Supreme Court by an equally divided Court affirmed the decision of the Circuit Court of Appeals in the instant matter. No opinion was written by the Court. RUC.

cc - Chicago (58-194)
New Orleans (58-69)

TJJ:VC
58-261

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HIGHEST COURT STALLS PAROLE OF 2 HOODLUMS

Campagna, Gioe Lose Appeal

BY JAMES DOHERTY

Louis Campagna and Charles Gioe, prominent Capone gangsters, and aids of Paul Ricca who is rated as head of the Mafia in this country, lost their fight yesterday

Gioe [left] and Campagna

to have the Supreme Court of the United States set aside the revocation of their paroles from federal prison.

The effect of a tie vote, 4 to 4, with Justice Tom Clark not voting, was considered in legal circles here as approval of the revocation of the paroles of the gangsters who were convicted of extorting over $1,000,000 from motion picture producers, and who are believed to have spent another $1,000,000 since in their court fight to remain free.

Face Return to Prison

Had the high court ruled for Gioe and Campagna, the two hoodlums would have been able to remain on parole. Under the high court decision they must go back to jail unless they seek anew to prove that orders revoking their parole were invalid.

Campagna and Gioe have contended the paroles were revoked because of "political pressure" on the federal parole board. The department of justice argued the revocation was based on evidence that Gioe associated with persons of "bad reputation," and expressed belief Campagna did not tell the truth before a congressional investigating committee.

Twice in three years, Campagna and Gioe have won freedom. And now three times they have lost a fight to stay out of the federal penitentiary. In all the time their cases have been in the courts, the two have been free on bond.

Ricca Status Unchanged

Yesterday's Supreme court decision does not affect the status of Ricca, whose parole revocation battle is "on a different principle of law and on different facts," United States Atty. Otto Kerner Jr. stated. A separate decision concerning Ricca is awaited.

The Supreme court did not settle the question of the right of

[Continued on page 8, column 2]

CHICAGO DAILY TRIBUNE
Sta. City Final Edition
Date NOV 14 1950
Page 1 Col. 3

the parole board to take back what it has the right to give: freedom. It did not settle the questions of procedure involved in the two years of effort to put the gangsters back in prison, lawyers explained.

However Atty. George F. Callaghan interpreted the ruling to mean that the way is open for Campagna and Gioe to have new court hearings and new parole board hearings at Atlanta, Ga., or at New Orleans, La.

Judges' Votes Not Recorded

In hearing arguments on the freedom pleas of Campagna and Gioe last month, the justices asked numerous questions.

"The whole probation and parole system could be destroyed by the outcome of this case," Justice Robert H. Jackson said at the time.

By the tie vote, the justices merely killed the appeal from the latest ruling concerning Campagna and Gioe which was by the United States Appellate court at New Orleans, La.

No opinions were written by the Supreme court, and the vote of each justice was not recorded.

The last ruling—which is now undisturbed—is that the federal District court in Atlanta, over which Judge E. Marvin Underwood presided, should grant the government a new hearing on the habeas corpus case which took Campagna and Gioe out of the Atlanta prison.

Campagna, Gioe, Ricca and Phil D'Andrea, who were convicted in New York and went to prison late in 1943, to serve 10 year sentences, were freed on parole on Aug. 15, 1947, within a few days after they had served one third of the sentences. The paroles were ordered revoked late in 1948 and the court battle has been on since then.

Quizzed in Drury Case

Campagna and Gioe were back in the penitentiary at Atlanta for a short time, then were released on bail pending the outcome of the court battle. Ricca was more fortunate; he has kept out of jail except for a day after the revocation order was brought to Chicago. All three have been making reports to the parole officers here, and all three were questioned during investigation of the murder of former Police Lt. William Drury.

The paroles were considered a national scandal. An investigation was made by a committee of congress, headed by Rep. Clare Hoffman [R., Mich.], and including Rep. Fred E. Busbey, Chicago Republican elected last Tuesday to a third term.

It was shown that Paul Dillon, St. Louis attorney, a close friend of President Truman, and Atty. Maury Hughes of Dallas, Texas, a close friend of Justice Clark, then attorney general, were "behind the scenes" agents in obtaining release of the gangsters from prison, a few days after the gangsters had served one third of their sentences.

Paid $15,000 Fee; Hughes Said

Hughes, when he appeared before the congressional committee, said he had been paid a $15,000 fee for obtaining dismissal of a million dollar mail fraud indictment, which would have acted as a bar to their paroles.

Hughes' name was not of record anywhere in the transaction by which the department of justice, under Clark, then attorney general, quietly wiped the indictment from the New York court dockets.

Dillon, who admitted he had been a welcome White House visitor during the time he was negotiating for the paroles, said he charged the hoodlums a $10,000 legal fee.

Tax Settlement Bared

It was disclosed that income tax liens against Campagna and Ricca, amounting to more than $500,000, had been settled for $128,000, enabling the gangsters to tell the parole board that they owed the government no money.

Ricca and Campagna told the congressional committee, parole board, judges and prosecuting attorneys, and later the Kefauver senate committee, that they did not know the identity of their "good friends" who paid the $128,000 to settle the tax liens.

Campagna, whose income tax returns are reputed to show he made a fortune as a gambling boss of Cicero, and Ricca, who claimed he got wealthy taking bets from Capone and other hoodlums, both told the congressional committee, and their parole agents, that they are the owners of valuable farms.

Thruout his legal endeavors to keep Campagna, Gioe and Ricca from going back to prison, Atty. Stewart repeatedly asserted that the paroles were revoked "on the orders of a Republican congress," and because of newspaper disclosures, particularly those in THE CHICAGO TRIBUNE.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-194

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	12/6/50	11/29;12/1,4/50	CHARLES E. STINE (A) CES:nrc

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was. ET AL	BRIBERY; PAROLE MATTERS

SYNOPSIS OF FACTS:

Supreme Court by 4-4 vote affirmed decision of Circuit Court of Appeals, New Orleans, against subjects CHARLES GIOE and CAMPAGNA. USA, Chicago, upon request of Board of Paroles, has instigated new charges against subject PAUL DeLUCIA who on 11/24/50 was released by Judge IGOE on $5,000 bond. New case is based essentially upon charges mentioned in previous case against DeLUCIA which, upon motion of the Government, was dismissed on 11/27/50. DeLUCIA charged with failure to make full report to Parole Officer and untruthful statements re marriage of his daughter in January, 1948. Also charged with association with persons of bad reputation, failure to conduct himself honorably and failure to reveal source of monies used in settlement of taxes, when questioned before a legally constituted body.

- P -

DETAILS: At Chicago, Illinois

By letter dated November 18, 1950 the Washington Field Office advised that on November 13, 1950 the Supreme Court, by an equally divided vote, affirmed the decision of the Circuit Court of Appeals in the case against CHARLES GIOE and LOUIS CAMPAGNA. Press reports locally showed that the vote was 4-4, with Justice TOM CLARK abstaining.

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
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Chicago File 58-194

Local press reports indicate that it will take an indefinite period of time for this decision to reach the lower court and until that time, action against GIOE and CAMPAGNA is not probable.

A review of the Docket, Office of the Clerk, U. S. District Court, Chicago, Illinois, reflects that on November 24, 1950 GEORGE F. CALLAGHAN, Attorney, had filed a petition for a writ of habeas corpus for his client, PAUL DeLUCIA. In this petition he stated that his client was being illegally restrained by THOMAS P. O'DONOVAN, Marshal, Chicago, Illinois, and asserted that the action of the Parole Board in causing a new warrant to be issued for the arrest of his client was the result of arbitrary and capricious action and in violation of the Law and rights of the petitioner as guaranteed by the Constitution.

In a hearing before Judge MICHAEL L. IGOE on November 24, 1950, DeLUCIA was released on $5,000 bond.

On November 27, 1950 the United States Attorney at Chicago, Illinois filed and "answer" to Rule to Show Cause, a copy of which is enclosed. This contains a "memorandum in explanation of referral", which is explanatory of the reasons for the re-arrest of PAUL DeLUCIA. In summary, it shows the following: b3

1. Failure to make full and truthful parole report covering expenditures during the month of January, 1948.

2. [redacted] Federal Grand Jury.

3. Failure to reveal source of monies used in settlement of Internal Revenue Tax when questioned before a Congressional Committee of the Eighty-first Congress.

4. [redacted] Federal Grand Jury.

5. Failure to conduct himself honorably.

The warrant was ordered by GEORGE E. MILLINGER of the Board of Paroles and bears the date November 22, 1950.

Chicago File 58-194

Item number one concerns the wedding breakfast and subsequent reception for DeLUCIA's daughter held at the Blackstone Hotel, Chicago, in January, 1948. The other matters listed above are self-explanatory and have been the subject of previous reports in this case.

On December 1, 1950 DeLUCIA's attorneys filed a second amendment, a copy of which is also enclosed. Briefly, this petition states that the warrant in the new case should be viod "for the reason that it was issued while an identical warrant was the subject of litigation".

Miss QUINLIN, Secretary to Assistant United States Attorney JOHN LULINSKI, from whom the enclosures were obtained, advised that the previous case against DeLUCIA was dismissed upon motion of the Government on November 27, 1950.

Miss QUINLIN advised that there were differences in the phraseology of the complaint as originally set forth in the former case against DeLUCIA and in the present case. She also advised, as is set forth in the petition of the "Respondent's Answer to Rule to Show Cause" that the new case against DeLUCIA is in accordance with a violation of the newly reenacted provisions of Title 18 of the United States Code, Sections 4205, 4206 and 4207 thereof.

A review of the Docket and file in this case on December 4, 1950 did not show the date to which this case had been continued.

- P E N D I N G -

Chicago File 58-194

ADMINISTRATIVE PAGE

Copies of this report have been designated for the Washington Field Office for if the previous actions of the principals in this case are any criterion, it is possible that the U. S. Supreme Court will be requested to rule upon the new case against DeLUCIA at some future time.

Enclosures: To Bureau-1 printed copy of Second Amended Petition in the case entitled "UNITED STATES, ex rel., PAUL DeLUCIA, Petitioner, vs. THOMAS P. O'DONOVAN, Marshal, GEORGE F. KILLINGER, Chairman and the United States Board of Parole, Respondents.

-1 carbon copy of the Respondents answer to Rule to Show Cause in the above captioned case.

Chicago File 58-194

LEAD PAGE

THE NEW ORLEANS DIVISION

At New Orleans, La.

Will, through a review of the Court Docket at the U. S. Circuit Court of Appeals, follow the action of the court against subjects CHARLES GIOE and LOUIS CAMPAGNA, upon the Court's receipt of the decision of the U. S. Supreme Court.

THE CHICAGO DIVISION

At Chicago, Illinois

Will, through occasional contacts in the Office of AUSA JOHN LULINSKI, follow the present case against PAUL DeLUCIA, U. S. District Court, Chicago, Docket No. 5001643.

- P E N D I N G -

To: Director, FBI
From: SAC, Chicago
RE: LOUIS CAMPAGNA, was, ET AL
BRIBERY; PAROLE MATTERS

Bufile 58-2000
Chicago File 58-194

Encl. (2) One printed copy of Second Amended Petition in the case entitled "UNITED STATES, ex rel., PAUL DeLUCIA, Petitioner, vs. THOMAS P. O'DONOVAN, Marshal, George F. KILLINGER, Chairman and the United States Board of Parole, Respondents.

One carbon copy of the Respondents answer to Rule to Show Cause in the above captioned case.

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ENCLOSURE

ENCLOSURE

58-2000 - 2045

58-2000-2045

IN THE

United States District Court

FOR THE

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

UNITED STATES, ex rel., PAUL De LUCIA, Petitioner, vs. THOMAS P. O'DONOVAN, Marshal, GEORGE F. KILLINGER Chairman and the UNITED STATES BOARD OF PAROLE, Respondents.	Habeas Corpus. 50 C 1643

SECOND AMENDED PETITION

Before the Honorable Michael L. Igoe, District Judge.

GEORGE F. CALLAGHAN,
105 W. Adams Street,
Chicago, Illinois,
WM. SCOTT STEWART,
Chicago Temple,
Chicago, Illinois,
Attorneys for Petitioner.

OTTO KERNER, JR.,
United States Attorney.

BARNARD & MILLER 33 S. Market St., Chicago 6. FRanklin 2-0562

IN THE

United States District Court

FOR THE

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

UNITED STATES, ex rel., PAUL De LUCIA, Petitioner, vs. THOMAS P. O'DONOVAN, Marshal, GEORGE F. KILLINGER Chairman and the UNITED STATES BOARD OF PAROLE, Respondents.	Habeas Corpus. 50 C 1643

SECOND AMENDED PETITION

Before the Honorable Michael L. Igoe, District Judge

To the Honorable Michael L. Igoe, District Judge:

MAY IT PLEASE THE COURT:

This cause is before Your Honor without objection by reason of a re-assignment by the Executive Committee. As announced by Judge Campbell, this Honorable Court has had in effect for some time a rule which provides that a second petition for habeas corpus, and all subsequent petitions filed by the same person, relative to the same custody, should be assigned to the judge who heard the first petition. Your petitioner is the same as that in cause No. 48 C 867, heard by Your Honor

in which judgment was entered discharging Your petitioner, which judgment was affirmed. The parole involved is the same as in the previous case.

A motion is pending for leave to file a first amended petition, but by reason of the fact that the Government has served Your Petitioner with an answer, directed to the original petition, Your petitioner, in order to shorten, if possible, the preliminary proceedings has served this second amended petition, and requests that leave be granted to file same. Your petitioner incorporates herein his previous petitions and takes notice of the new matter set out in the answer. Your petitioner requests an order on respondents to meet this second amended petition.

Respondent states that the warrant was accompanied by a certain referral. Respondent is either mistaken now, or misinformed Your petitioner. Your petitioner upon his arrest inquired of the Chief Deputy and of his parole agent, if there was any specification of the charges and was told by each that the warrant contained all of the information at hand and known to the said chief and parole agent respectively. Your petitioner is informed and believes that the said referral was sent later under separate cover to the local United States Attorney. Your petitioner respectfully requests that Your Honor take such means as may be deemed proper to ascertain the facts.*

*The importance of ascertaining this fact is to be seen when it is remembered that the attitude of the local Government Attorneys has been in this litigation, that Your Honor has no jurisdiction over the Board or its members. Yet they seek the privilege of introducing in this manner only such material as may be sent by the Board, or a member, to the local attorneys. Further in the Atlanta case, Judge Sibley attached some importance to the understanding of the Appeals Court that a referral accompanied the warrant. This was a mistaken assumption on the part of Judge Sibley and naturally Your petitioner seeks to have this case tried upon the facts as they exist.

The warrant in the case at bar is a nullity for the reason that it was issued while an identical warrant was the subject of litigation. It is true that the petition seeking to reverse Judge Lindley was dismissed, as stated in the response, but Your Honor will find that this dismissal took place after Dr. Killinger signed the warrant in the case at bar. There is no provision in the law for the issuance of two warrants, or a second warrant while the first remains. As Your Honor knows, that Board before the Supreme Court was insisting that the first warrant is valid.

Respondent calls attention to the new statute. It is the contention of Your petitioner that due process is required, regardless of the wording of the statute. The warrant now in issue here recites that the same is based upon reliable information. By supplementing the present warrant with a referral and a memorandum in explanation of the referral, the Board has offered to show that Dr. Killinger in fact was in possession of reliable information. It is the purpose of petitioner to now demonstrate to the Court that the warrant together with the papers referred to, do not measure up to the standards fixed in the previous litigation.

Respondent makes reference to something said by Judge Lindley to distinguish the Atlanta case from the case here previously. It happens that Judge Lindley was mistaken on his facts concerning the Atlanta case. The warrants in that case were issued under the old law and were identical in form with the warrant before Your Honor. Although all concerned are bound by the opinion of Judge Lindley, it happens that that record in the Atlanta case was not before our Appeals Court in this Circuit. With all due respect Your petitioner contends that that said by Judge Lindley concerning the warrants in the Atlanta case was not necessary to the decision.

As is shown by the record of this Honorable Court after the Government lost its case here and the judgment of discharge was affirmed. Then the Government Attorneys, at the direction of the Solicitor General, sought to withdraw its demurrer and to prove the basis of the first warrant. It was claimed that counsel made a mistake in admitting the facts. Mistake or not they have been admitted and as Your Honor correctly decided, this Honorable Court has no jurisdiction to again try an issue settled on appeal.

The record p. 785 in the first case shows the following referral, we quote:

"Present offense:

1. Failure to make full and truthful written reports to the Supervisor of Parole.
2. Untruthful statements covering expenditures during the months of December 1947, and January 1948.
3. Association with persons of bad reputation.
4. Failure to conduct himself honorably.

Your Honor will note upon comparison that No. 1 above is identical with No. 1 in the case at bar, except that in the case at bar only the month of January 1948 is designated.

No. 2 above is the same as No. 1 in the case at bar, except in the case at bar December 1947 and January 1948 are designated.

No. 3 above has been omitted in the case at bar, unless it means the airplane trip.

No. 4 above is identical with No. 5 in the case at bar.

No. 5 above is the same as Nos. 2 and 3 in the present

case, except here the legal bodies are designated i.e., Grand Jury and the Committee.

No. 4 in the case at bar is new unless it was included in the general charge. The fact that this too was previously involved is shown by the referral in the Atlanta case.

As to this No. 4 Your petitioner was not on parole when he took the airplane to Chicago. The memorandum does not say that Your petitioner knew any people who might have used the tickets. A full explanation of the trip was given by Your petitioner to the Hoffman Committee and shown of record before Your Honor in the previous case. Dr. Killinger has positive information that there was nothing wrong about this trip as he is shown to have familiarized himself with the testimony given before the Committee. Also if there were any failure on the part of Your petitioner the Board can not legally use evidence given before the Committee by Your petitioner because of his immunity. Your petitioner is informed and believes that the deficient memorandum is purposely made in this vague manner because the Board including Dr. Killinger has no information of wrong doing based upon this incident.

The memorandum as to the wedding states that Your petitioner pulled the money from his pocket. Your Honor is invitetd to presume that this means that the money belonged to Your petitioner. This statement is made in this form because Dr. Killinger knows that the money was the property of the newly married couple. At least he has no contrary proof or information.

The memorandum as to the money paid for taxes fails to state that Your petitioner knew the sources of the money. Dr. Killinger knows that Your petitioner has no such knowledge. At least the Board including Dr. Killinger has no contrary proof or information.

b3

In all of these matters the answer of respondent indicates that the Board intends to make use of testimony given by Your petitioner before Congressional Committees, in violation of his right to immunity.

Your petitioner prays for such hearing as to Your Honor may seem meet on the rule to show cause, further that the writ of habeas corpus issue and for such orders and disposition as justice may require pursuant to the statute and the law in such cases provided.

PAUL DELUCIA,
Petitioner.

Dated December 1st, 1950.

GEORGE F. CALLAGHAN,

WM. SCOTT STEWART,
Attorneys for Petitioner.

STATE OF ILLINOIS,
COUNTY OF COOK. } ss.

Paul DeLucia being sworn states that the foregoing petition signed by him is true, except as to matters alleged upon information and belief, as to such matters he believes same to be true.

PAUL DELUCIA.

Subscribed and sworn to me this November 27, 1950.

AUBRIA McKEE,
(Seal) *Notary Public.*

Notice.

To Hon. Otto Kerner, Jr.
United States Attorney

Please take notice that when we appear before Judge Igoe on the rule to show cause or to have the matter set we shall ask leave to file this second amended petition and ask that the various prayers be considered.

GEORGE F. CALLAGHAN,

WM. SCOTT STEWART,
Attorneys for Petitioner.

JPL:EQ 11-27-50

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

UNITED STATES OF AMERICA, ex rel. PAUL DE LUCIA,	)	
Petitioner,	)	
vs.	)	NO. 50-C-1643
THOMAS P. O'DONOVAN, Marshal,	)	
Respondent.	)	

RESPONDENT'S ANSWER TO RULE TO SHOW CAUSE.

Thomas P. O'Donovan, United States Marshal for the Northern District of Illinois, respondent herein, for answer and defense to the rule to show cause why a writ of habeas corpus should not issue pursuant to the petition heretofore filed herein, alleges and says as follows:

1. Respondent admits paragraph 1 of the petition.

2. Respondent denies that petitioner is being illegally restrained of his liberty, but that he is held under a valid and subsisting warrant issued by a member of the United States Board of Parole.

3. Respondent admits the allegations of paragraph 3, insofar as the averment is made that the respondent has custody of the petitioner by virtue of a warrant charging petitioner with violation of his parole.

4. Respondent denies paragraph 4 of the petition.

5. Respondent denies paragraph 5 of the petition.

6. Respondent denies paragraph 6 of the petition.

7. Respondent denies paragraph 7 of the petition.

And for further answer and defense, respondent alleges and says further as follows:

FIRST.

Respondent avers and alleges that he has custody of the petitioner under and by virtue of a valid and subsisting warrant, charging that the petitioner has violated the conditions of his parole and is a fugitive from justice; that the said warrant commanding your respondent to take the said petitioner into custody was issued on the 22nd day of November, 1950 by George L. Killinger, a member of the United States Board of Parole, pursuant to and as provided by the laws of the United States (18 U.S.C., Section 4205). The original of the said warrant is tendered herewith and identified as Respondent's Exhibit A.

SECOND.

The said warrant was accompanied by a Referral for Consideration of Alleged Violation of parole, in the words and figures following, to wit:

"Marshal and Institution ____

Statistics _____

Bureau of Investigation ___

REFERRAL FOR CONSIDERATION OF ALLEGED VIOLATION

TO: UNITED STATES BOARD OF PAROLE. Date November 22, 1950

Case of Paul De Lucia, No. 62118-E
Sentence 10 years District from Southern New York
Original offense Violation of Anti-Racketeering Act, Title 18, Section 420-A, U.S. Code. Sentence began March 8, 1944
Released August 15, 1947 District to Northern Illinois C.R.(or)
Parole X Violation date Divers occasions since release
Termination date March 7, 1954

Present offense:

1. Failure to make full and truthful parole report covering expenditures during the month of January, 1948.

2. Failure to reveal source of monies used in settlement of Internal Revenue tax when questioned before a Federal Grand Jury.

3. Failure to reveal source of monies used in settlement of Internal Revenue Tax when questioned before a Congressional Committee of the Eighty-first Congress.

"4. Failure to reveal the identity of two traveling companions on the TWA flight from Kansas City, Missouri to Chicago, Illinois August 13, 1947 when questioned before a Federal Grand Jury.

5. Failure to conduct himself honorably.

To Marshal:

District _____

DATE _____

Warrant ordered by:

(Signed) George E. Killinger

Signed by:

George E. Killinger

11-22-50"

THIRD.

Attached to the Referral for Consideration of Alleged Violation of parole was a Memorandum in Explanation of Referral, which sets forth in detail the grounds and bases for the Referral, and which is in words and figures as follows, to wit:

"MEMORANDUM IN EXPLANATION OF REFERRAL

1. This relates to the wedding breakfast and subsequent reception for De Lucia's daughter held at the Blackstone Hotel, Chicago, on January 24, 1948. Payment for this service was made on January 26, 1948, at which time De Lucia paid $12,324.68 to Mr. Charles Mikuta, Maitre d'hotel at the Blackstone. This payment was made in cash in one hundred dollar bills which De Lucia pulled from his own pocket.

De Lucia's monthly parole report for the month of January, 1948 failed to disclose the foregoing expenditure, he having shown on the said report a total expenditure of only $5,205.69, which included $3,205.69 for capital expenditures on the farm and $2,000.00 for living expenses, respectively.

2-3. This relates to De Lucia's failure to disclose the source of money which was used in settlement of his Federal income tax liability when questioned relative thereto by two legally constituted bodies, namely, by a Chicago Federal Grand Jury convened in 1947, and in September, 1950 by the Special Committee to Investigate Organized Crime in Interstate Commerce, U.S. Senate, Eighty-First Congress, popularly termed the Kefauver Committee.

4. On August 13, 1947, upon release from Leavenworth Penitentiary De Lucia returned to Chicago by air from Kansas City, Missouri on TWA flight No. 308. The records of TWA and statements of flight personnel show that six tickets were purchased for this flight in the name of "Bernstein" and that all six tickets were used on that flight. When questioned by a Federal Grand Jury, Convened in Chicago in 1947, De Lucia admitted that he was

accompanied by Bernstein, the same individual who effected settlement of De Lucia's Federal Tax liability, by Louis Compagna and by Charles Cioe, but failed to identify his other two traveling companions on this flight.

5. This relates to the preceding four specific violations alleged in the "referral" and is in violation of Condition No. 6 of the terms of his parole.

Witness my hand and the seal of this Board this 22nd day of November, 1950.

(Signed) George E. Killinger
Chairman, U. S. Board of Parole

(SEAL)

U. S. BOARD OF PAROLE
DEPARTMENT OF JUSTICE

FOURTH

There is no identity of law or of fact between the instant proceeding and the proceeding heretofore determined by this Court and affirmed on appeal, entitled "United States of America ex rel. Paul De Lucia v. T. P. O'Donovan, Marshal," bearing No. 48-C-387. This is borne out by the statement made by the United States Court of Appeals for the Seventh Circuit in the Opinion issued by the Court in U. S. ex rel. De Lucia v. O'Donovan, 178 F. 2d 876, where the Court, in distinguishing the De Lucia case from a companion case decided in the Fifth Circuit, Hiatt v. Compagna, 170 F. 2d 42; affirmed ____ U. S. ____, said as follows:

> "The case of Hiatt v. Compagna, 170 F. 2d 42, recently decided by the Court of Appeals for the Fifth Circuit, involved issuance of parole warrants for the arrest of two persons who, having been tried with and convicted at the same time as the relator in this case, had also been released on parole. After they had been taken into custody, (it is significant that they were arrested after September 1, 1948, the date on which Revised Title 18, United States Code Annotated, became effective,) Compagna and Cioe filed petitions for habeas corpus. Prior to hearings on their petitions, the board conducted a proceeding to determine whether their paroles should be revoked. Before this hearing had been

concluded, however, the habeas corpus hearings were completed, and the District Court found, on the basis of the uncontradicted testimony of the two petitioners, that information upon which the warrants had issued was not reliable. It was accordingly ordered that petitioners be released unless, within 15 days, new warrants based on reliable information had been issued. No such warrants having been issued, although the board did announce its decision that the paroles should be revoked, the District Court ordered that the petitioners be discharged. On appeal, the judgment was reversed, the Court of Appeals relying on the fact that Revised Title 18 had made substantial changes in the procedure to be followed in revoking paroles.

"Several distinctions can be drawn between the case before this court and the one in the Fifth Circuit. The most obvious is that the latter case was decided under a statute entirely different from that which controls here. Here the issuance of the warrant, the arrest of petitioner, and the issuance of the writ all occurred before the effective date of Revised Title 18; consequently, this court must look to the law under the former statute, 18 U.S.C.A., §§ 717, 719 and 725. Another distinction, readily apparent, is that the relators in the Fifth Circuit were notified in writing of the parole violations with which they were charged, whereas the relator in this case was never made aware of any conditions of his parole which he was charged with violating. There, the finding of the District Court was that the information on which the warrants had been issued was not reliable; here, the court found that there was no information of any kind whatever. These significant distinctions serve to resolve the otherwise apparent inconsistency in the decisions in the two cases."

United States v. O'Donovan,
178 F. 2d 876, 880.

It is thus apparent that there can be no identity of law between the instant case and the former De Lucia case, since the present warrant for parole violation was issued on November 22, 1950 and is governed by the newly re-enacted provisions of Title 18 of the United States Code concerning parole, more particularly, Sections 4205, 4206 and 4207 thereof. As indicated in the above quotation from the De Lucia case on appeal, the Court of Appeals specifically held that the warrant and proceedings before it were controlled by the former provisions of the United

States Criminal Code, 18 U.S.C. 717, 719 and 723, and not by the provisions of the Criminal Code effective September 1, 1948. Further, the Court of Appeals held that the relator in the original De Lucia case ". . . was never made aware of any conditions of his parole which he was charged with violating." Such is not the case here. On the day the rule to show cause was issued, petitioner's attorney copied the Warrant charging petitioner with alleged violation of parole, with the permission of your respondent, and by the filing and service of this Answer, the petitioner is advised in writing of the conditions of his parole which he is charged with violating.

A further distinction between the instant proceeding and the former De Lucia case may be found in the fact that the newly enacted provisions of the Criminal Code with respect to parole studiously avoid any mention of information or reliability of information upon which a parole violator warrant may issue. This was the crux upon which the Court of Appeals bottomed its decision in the appeal taken in the former De Lucia case, but the new statute simply provides as follows:

> "§ 4205. Retaking parole violator under warrant; time to serve undiminished
>
> A warrant for the retaking of any United States prisoner who has violated his parole, may be issued only by the Board of Parole or a member thereof and within the maximum term or terms for which he was sentenced. The unexpired term of imprisonment of any such prisoner shall begin to run from the date he is returned to the custody of the Attorney General under said warrant, and the time the prisoner was on parole shall not diminish the time he was sentenced to serve."
>
> 18 U.S.C. 4205.

It is further significant to note that underneath the newly revised Criminal Code (18 U.S.C. 4207), a prisoner retaken upon a warrant issued by the Board of Parole shall be given an opportunity to appear before the Board. The Board may then, or

at any time in its discretion, revoke the previous order of parole, terminate such parole, or modify the terms and conditions of parole.

The above distinctions pointed out herein under paragraph the Fourth preclude the application of the familiar rule of former adjudication. This is in furtherance of the principle of law laid down by the Federal courts, that the principle of res adjudicata does not apply in habeas corpus proceedings, except where there is an absolute identity of fact and law, and even then, should be applied with caution.

FIFTH.

As heretofore noted, under paragraph the Fourth, the United States Board of Parole is the sole authority which may terminate, modify, or revoke a parole (18 U.S.C. 4207). It is also provided that a retaken prisoner ". . . shall be given an opportunity to appear before the Board." It is obvious from the contextual apposition of this phrase in the cited statute, 18 U.S.C. 4207, that no determination can be made with respect to the termination, modification, or revocation of parole, until after such appearance before the United States Board of Parole. This, of course, precludes judicial inquiry until such time as petitioner makes his appearance before the Board and the Board makes a determination with respect to petitioner's mural status, under the familiar doctrine of exhaustion of administrative remedies. The petitioner has not made his appearance before the United States Board of Parole and no final determination has been made by the United States Board of Parole with respect to petitioner's status.

SIXTH.

The petition for certiorari in the original De Lucia case entitled, Thomas P. O'Donovan, United States Marshal,

Northern District of Illinois, Petitioner, v. United States of America, ex rel. Paul De Lucia, No. 103 of the 1950 October Term in the Supreme Court of the United States, was withdrawn on November 27, 1950, pursuant to an order entered by the Supreme Court of the United States.

WHEREFORE, respondent prays that the Rule to Show Cause, heretofore issued, be discharged, and that the petitioner's petition for a writ of habeas corpus be dismissed.

THOMAS P. O'DONOVAN,
United States Marshal,

By _____
EDWARD J. SULLIVAN,
Chief Deputy United States Marshal.

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

EDWARD J. SULLIVAN, Chief Deputy United States Marshal for the Northern District of Illinois, being first duly sworn on oath, doth depose and say that he has read the above and foregoing Answer by him subscribed on behalf of Thomas P. O'Donovan, United States Marshal for the Northern District of Illinois, pursuant to leave of court prayed and obtained; that he knows the contents thereof, and that the same are true in substance and in fact.

_____
EDWARD J. SULLIVAN,
Chief Deputy United States Marshal.

SUBSCRIBED AND SWORN to
before me this 28th day
of November, A.D. 1950.

_____
Notary Public

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO, ILLINOIS NO. FILE NO. 58-69

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
New Orleans, La.	1/26/51	1/5,10/51	VON PERRY HEATHERLY VPH:sh

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was, et al	BRIBERY; PAROLE MATTERS

SYNOPSIS OF FACTS:

Certified copy of judgment of U. S. Supreme Court received by U. S. Circuit Court of Appeals, New Orleans, Louisiana, January 8, 1951. Supreme Court on January 5, 1951, remanded case to Northern District of Georgia.

RUC.

DETAILS: AT NEW ORLEANS, LOUISIANA

GILBERT GANUCHEAU, Clerical Assistant, U.S. Circuit Court of Appeals, made available the court records in this matter and these records indicated that a certified copy of the judgment of the U. S. Supreme Court was received on January 8, 1951. The records further indicated that the Supreme Court issued a mandate January 5, 1951, remanding this case to the District Court for the Northern District of Georgia.

[redacted]
3/2/95 sesaka

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN

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NO #58-69

REFERENCE: Report of SAA CHARLES E. STEIN, Chicago, 12/8/50.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-194

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	1/31/51	1/27/51	CHARLES E. STINE (A) :LL

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was - ET AL	BRIBERY PAROLE MATTERS

SYNOPSIS OF FACTS:

Hearing on revocation of parole set for March 30, 1951.

- P -

DETAILS: AT CHICAGO, ILLINOIS

Judge MICHAEL IGOE, U.S. District Court, on January 26, 1951 ruled that subject PAUL DE LUCIA is entitled to a hearing on the attempted revocation of his parole. He set March 30, 1951 as the date for this hearing.

G.I.R.-1

- PENDING -

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U. S. GOVERNMENT PRINTING OFFICE 16—59255-1

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: March 12, 1951

FROM : SAC, Kansas City

SUBJECT: LOUIS CAMPAGNA, was., etal
BRIBERY
PAROLE MATTERS

Rebulet to Chicago 3/8/51, which enclosed a memorandum from Mr. JAMES M. MC INERNEY, Asst. AG.

The Philadelphia office has advised by teletype that former TWA Stewardess ROSE ANN BAKER is presently in Wash., DC, and the Philadelphia office has set out a lead to interview her in Wash., DC.

PETER LASHO, Supr., Revenue Dept., TWA, Room 716, New York Life Bldg., 20 W. 9th St., KCMO, advised that the originals of TWA tickets numbered 151-861210, 151-861211, 151-860974, 151-860975, 151-860976 and 151-860977, which are the tickets used under the name of BERNSTEIN on TWA Flight 388, 8/13/47, KC to Chicago, were sent to USA OTTO KERNER, Chicago, on 10/17/50. The Chicago office has been requested by teletype to obtain photostat copies of these six tickets and to furnish the photostats to the WFO for use in interviewing former TWA Stewardess BAKER.

G. I. R. -7

Mr. LASHO said that TWA Form 112, which is the flight movement report, aka the flight and traffic report, for Flight #388, 8/13/47, shows that a total of 18 passengers traveled from the originating point of the flight, KC, to Chicago, on this DC-3 plane. He said there was no flight manifest report prepared for this flight, but that the 18 tickets in Ticket Envelope #A-68, for flight 388 on 8/13/47, serve as a flight manifest, and show the flight number, date, ticket number, passenger's name, origin and destination. He said that the information which appears on page 15 of the report of SA RAYMOND W. RADFORD, 3/26/48, KC, as coming from ROBT. H. MC CORMACK, in charge of TWA reservations, was not from a flight manifest record, but instead was from a checking record made at the KC airport by a TWA agent, who checks passengers as they go aboard planes. He said these checking lists are destroyed after one year, and the TWA Archives Section does not have this checking list. Mr. LASHO and CHARLENE GRINTER, Supt. of Hostesses, TWA, again attempted to find the seating plan of this flight, which former Stewardess BAKER was supposed to have prepared and submitted to GRINTER, but they again were unable to find this document.

Photostat copies of the flight movement report and of the 12 TWA tickets used by other passengers on this flight have been obtained from Mr. LASHO and are enclosed herewith to the WFO for use in interviewing former Stewardess BAKER.

58-2000-2048

RECORDED 139 58-75
MAR 14 1951
EX-47

WMH:mf
58-75
cc's - Chicago (AIR MAIL)
Washington Field Office (AIR MAIL) (encl)
Atlanta
AIR MAIL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/5/93 BY sp alw

Mr. LASHO said he is the proper TWA custodian of records to subpoena. He said he would appear with the records upon receipt of a subpoena duces tecum, knew of nothing which would prevent him from making the trip to Atlanta in May, 1951, but said he personally did not desire to make the trip. The office of the USA, KCMO, states that BERNICE JACKSON, Commerce Bldg., KCMO, a court reporter and notary public, is the person with whom the USA's office has a contract for grand jury reporting, the taking of depositions, etc.

RUC.

[illegible], Chicago

[illegible], 1951

Director, FBI

[illegible]

L. II CAMPAGNA, was, et al
[illegible]

[illegible] is enclosed for each of the [illegible] recipients a copy of a letter dated [illegible], 1951, from Hon. H. [illegible], Assistant Attorney General [illegible] additional investigation in the captioned matter.

It is noted the address of [illegible] Dade in Miami was [illegible] General Accounting Bureau, Post Office Building, Miami, Florida. [illegible] Corps, and that the [illegible] was mailed to [illegible] at the Naval Air Base, Miami, Florida. The [illegible] in Miami is [illegible], accordingly, unless this Bureau [illegible] the address [illegible] Post Office, Miami, Florida should [illegible] to determine [illegible] employed by the [illegible] at the address noted [illegible].

The Department has specifically requested that this investigation be completed [illegible] most general [illegible] [illegible] Bureau's [illegible] to other offices should be set forth [illegible] complete [illegible] information and [illegible] as to the complete nature of the investigation. A report reflecting the completed investigation is to be mailed [illegible] not later than [illegible], 1951.

[illegible] to keep advised of all developments in this matter.

Enclosure

cc: [illegible]

[illegible]

[illegible] 3/2/95 SPSC/aw

58-2000-2049

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Room

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JGL:imc

COMM-FBI
MAR 5 1951
MAILED 18

3C2

67 MAR 20 1951

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Federal Bureau of Investigation DATE: March 2, 1951

FROM : James M. McInerney, Assistant Attorney General JMM:TDeW:AEG:ls
123-51-18

SUBJECT: Louis Compagna and Charles Gioe, Petitioners
vs.
Hiatt, Warden, U. S. Penitentiary, Atlanta, Georgia.
Habeas Corpus Nos. 2329 and 2330

Tolson
Clegg
Mr. Nichols
Mr. Tracy
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Mr. Gandy

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HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5A/aw

* * *

Reference is made to the above entitled habeas corpus proceeding presently pending in the Northern District of Georgia at Atlanta. Petitioners were paroled by the United States Board of Parole in 1947 and subsequently their paroles were revoked. They seek through court action to nullify the revocation orders.

One of the charges on which petitioners' paroles were revoked was that they failed to truthfully disclose their associates on an airplane flight from Kansas City to Chicago following petitioners' release from the United States Penitentiary, Leavenworth, Kansas. The flight under investigational scrutiny took place on 13 August 1947 on Transcontinental and Western air flight No. 388 from Kansas City to Chicago. Rose Ann Baker, whose address in 1947 was given as 929 Concord Avenue, Drexel Hill, Pennsylvania, was the flight stewardess on the trip in question.

Petitioners have testified before the United States Court at Atlanta and before the Parole Board that they accompanied one Eugene Bernstein, Chicago attorney, from Kansas City to Chicago on the flight under investigational scrutiny, but have continually and assiduously denied, under oath, any knowledge as to Bernstein's other companions on the trip in question. One of the issues at the hearing to begin in Atlanta before Federal Judge Underwood on the petitions herein on May 7, 1951, is the identity of petitioners' and Bernstein's companions on said flight, and the truthfulness of petitioners' testimony aforesaid that they had no knowledge that anyone accompanied them or lawyer Bernstein on the trip herein mentioned, and that they had no knowledge concerning the identity of said individuals if any such were in existence. The respondent will seek to prove at the May hearing that Bernstein and three companions accompanied petitioners on the flight in question, and that Bernstein and maybe others, all instructed flight stewardess Baker to list the names of all under the name of Bernstein.

DEFERRED RECORDING MAR 7 1951

62-2000

RECORDED - 18 62-2000-2049
EX. - 8
MAR 6 1951

Particular reference is made to the report of Special Agent Philip M. Cullen made at Philadelphia, Pennsylvania, under date of December 11, 1947, which report reflects an interview between

13

Ltr to SAC MAR 16 1951
Chicago
Kansas City
Philadelphia
Atlanta
Jackson
3/8/51

33 MAR 21 1951

said agent and stewardess Baker concerning the matter under investigation. It is requested that stewardess Baker be located and reinterviewed. The Bureau report reflects that after January, 1948, she expected to be married to Lt. (jg.) H. B. Cook, USN, and that it was anticipated by her that her residence would be at the Naval Air Base, Olathe, Kansas. It is requested that stewardess Baker be reinterrogated concerning her knowledge of the fact that all six members of the party referred to traveled under the name of Bernstein, and also with reference to all facts and circumstances material to the factual issues before the court as herein outlined.

The tickets utilized for the trip above mentioned and a record thereof appear to be in the custody of Peter Iasho, Chief Clerk in the Record section of T.W.A., whose office in 1947 was in Kansas City. This information is reflected by the report of Special Agent Raymond W. Radford made at Kansas City under date of December 3, 1947. Photostatic copies of the tickets in question and of the flight manifest and entire passenger list should be procured from T.W.A., and used by the interviewing agent who contacts stewardess Baker, with the view in mind of having her identify the same so that the Department will be in a position to determine whether she is able to identify the originals thereof for the purpose of securing their admission in evidence at the hearing on the petitions herein in the United States Court at Atlanta in May. It would appear necessary for the Bureau to furnish this Division with the name of the proper T.W.A. custodian of said records who will be in a position to testify at the court hearing that the originals are in his possession, made under his supervision in the regular course of business, and that the same accurately reflect the transactions or occurrences named therein, should this Division subsequently determine that flight stewardess Baker is not able to properly and sufficiently identify the documents above mentioned from an evidentiary standpoint. For the purposes above mentioned, it is believed that it would be well to secure the entire passenger list or manifest of the airplane on the flight in question.

Even if the stewardess is unable to identify the documents before mentioned, it would be desirable to have the testimony of the custodian of the aforesaid in addition to her testimony. It may be highly desirable to effect personal attendance of stewardess Baker and the custodian of the Records before the United States Court at Atlanta at the time of the reopened hearing in May. Inquiry should be made of both of these individuals as to their willingness to personally attend the hearing herein mentioned in Atlanta for the purpose of giving testimony as aforesaid upon

payment of their mileage and the usual witness fees in accordance with law. In the event neither prospective witness is willing to personally appear in Atlanta for the purposes aforementioned, it is requested that the Bureau furnish this Division with the name of a notary public before whom said witnesses' testimony can be taken by way of deposition. The name of the notary public who would be utilized in the event depositions from both the stewardess and the Records custodian from T.W.A. becomes necessary would be furnished by the United States Attorney in the Federal judicial district in which the interviewee is resident.

Time is of the essence and it is requested that the investigation herein be expedited so that the Department will be in a position to proceed by way of taking depositions, should that course of legal action become necessary.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: March 14, 1951

FROM : SAC, WASHINGTON

SUBJECT: LOUIS CAMPAGNA, was, ET AL
BRIBERY, PAROLE MATTER
Bureau 58-2000

Rebulet March 8, 1951, and memo of AAG JAMES M. McINERNEY, March 2, 1951, on Page 2 of which it is suggested photostatic copies of tickets and the entire flight manifest, as well as the passenger list, should be used by Agents to interview ROSE ANN BAKER.

It is requested the photostats in question be furnished this office, AMSD, by the Chicago or Kansas City Office, whichever office has possession of them.

cc Chicago (58-194)
Kansas City

RHK:VIM
58-261

RECORDED - 141 58-2000-2058
MAR 15 1951
EX. - 99 16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/55 BY SP3 alm

55 MAR 20 1951

CHICAGO, ILLINOIS
MARCH 13, 1951

[illegible]

[illegible] CITY

[illegible] ILL., [illegible] MARCH [illegible] OCTOBER [illegible] ACCORDANCE [illegible] FOLLOWING [illegible] PRIOR [illegible] NUMBER [illegible]

RICHARD [illegible] FIVE [illegible] SIX [illegible] TWO [illegible],
OR FIVE [illegible] SIX [illegible] ONE [illegible],
OR FIVE [illegible] SIX EIGHT NINE SEVEN FOUR,
[illegible] SEVEN [illegible].

[illegible] LETTER [illegible] [illegible] RICHARD. IT [illegible] [illegible] RICHARD, JR., [illegible] CITY [illegible].

[illegible] RICHARD [illegible] [illegible] [illegible] [illegible] LETTER [illegible] OCTOBER [illegible] [illegible] [illegible] [illegible]

PAGE TWO.

INTERVIEW SHOT THIS PURCHASE WAS POSSIBLE ONLY IN CHICAGO.
JEAN MARCELLE'S ARRIVAL IN KANSAS CITY IS LEARNED LATER ON
THE AFTERNOON THAT IT WOULD BE NECESSARY TO TAKE DUPLICATE
CHARGE-ACCOUNT PLATES, WHICH ALONG WITH HER LUGGAGE, WERE
MADE IN ADVANCE AT THE STORE. ESCAPE IN
CONFUSION FOLLOWING VERA'S SHOT IS NOTED. ORIGINALLY PLANNED TO
HAVE UNIDENTIFIED MAN ON TRAIN THROW EMPTY PURSE
FROM TRAIN TO DISCIPLE MOVE. KANSAS CITY IS REQUIRED TO
APPROVE THE POSSIBILITY OF THIS BEING DONE. SUPER WIRE.

HOFFMAN

CES:mam
53-194

cc: BUREAU

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 3-16-51

FROM : SAC, KANSAS CITY

SUBJECT: LOUIS CAMPAGNA, Was., Et Al
BRIBERY, PAROLE MATTERS

AIR MAIL SPECIAL DELIVERY

Re Kansas City let 3-12-51, and Chicago teletype 3-13-51.

PETER LASHO, Supervisor, Revenue Department, TWA, Room 716, New York Life Building, 20 West 9, Kansas City, Missouri, advised that the originals of the six TWA tickets, numbered 151-861210 and 151-861211, and 151-860974 through 77, apparently were returned to the Archives Section of TWA, Kansas City, Missouri, by USA KERNER, Chicago, as LASHO found the letter of transmittal, but said he had been unable to locate these tickets. He said he would continue trying to locate them.

Mr. LASHO said that these six tickets had been filmed before sending them to USA, KERNER, Chicago; that the negatives were in the Archives Section of TWA, and he had photographs of these six tickets made. These photographs are being herewith enclosed to Washington Field Office for use in interviewing former Stewardess BAKER.

Washington Field Office is requested to return the photos of the six TWA tickets to Kansas City, and also return the twelve TWA tickets and the flight movement report mentioned in Kansas City letter March 12, 1951.

Encls to Washington Field: Six photos of TWA tickets mentioned above.

WMH:CAW
58-75

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5 a/aw

cc: CHICAGO (AIR MAIL) (58-194)
WASHINGTON FIELD (2) (AMSD) (Encls.) REGISTERED MAIL
ATLANTA (AIR MAIL)

58-2000-2051

RECORDED - 132

MAR 19 1951

61 MAR 22 1951

EX-30

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: March 10, 1951

FROM : SAC, PHILADELPHIA

SUBJECT: LOUIS CAMPAGNA, was, et al; BRIBERY, PAROLE MATTER.

AIR MAIL SPECIAL DELIVERY

Rebulet to Chicago dated 3/8/51, copy of which is enclosed to Washington Field Office.

Mr. JOHN B. BAKER, 929 Concord Avenue, Drexel Hill, Philadelphia, Pa., who is the father of ROSE ANN BAKER mentioned in reference letter, advised that ROSE ANN is presently married to Lt.(j.g.) HERBERT B. COOK, United States Navy, and resides at 4827 Fourth Avenue, S.E., Apartment 404, Washington, D. C., telephone Logan 3-7423.

The Kansas City Office was notified by Philadelphia teletype dated March 9, 1951, to discontinue efforts to locate ROSE ANN BAKER and was advised that Philadelphia would set out an appropriate lead for her interview by the Washington Field Office.

Washington Field Office will interview Mrs. HERBERT B. COOK, nee ROSE ANN BAKER, in accordance with instructions set out in reference letter from the Director and instructions contained in letter of Mr. JAMES M. McINERNEY, Assistant Attorney General, dated March 2, 1951, a copy of which is enclosed. To assist in the interview, Washington Field Office is being furnished with copies of report of SA PHILLIP M. CULLEN, dated December 11, 1947, at Philadelphia, and report of SA PHILLIP M. CULLEN, dated December 23, 1947, at Philadelphia. Washington Field Office is also being furnished with the following photographs which were exhibited to Miss BAKER during interview reported in the enclosed reports.

~~DEFERRED RECORDING~~

1. Photograph of EUGENE BERNSTEIN
2. Photograph of EUGENE BERNSTEIN and LOUIS CAMPAGNA
3. Photograph of ANTHONY JOSEPH ACCARDO
4. Photograph of CHARLES GIOE and LOUIS CAMPAGNA
5. Photograph of PAUL DE LUCIA

58-2000-2052

RECORDED - 11 58
INDEXED - 11
MAR 13 1951

CBL/AFH
58-137

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5CAlw

cc: Chicago (58194)(AMSD)
Washington Field (Encl)(SPECIAL DELIVERY)
Atlanta (AIR MAIL)

EX-75

MAR 23 1951

Director, FBI 3/10/51

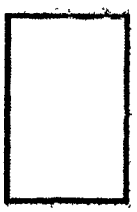
6. Photograph of CHARLES GIOE

7. Photograph of ROCCO FISCHETTI

8. Photograph of CHARLES FISCHETTI

The attention of the Washington Field Office is directed to the expeditious nature of this investigation as set forth in paragraph three of reference letter.

In view of the fact that no further investigation was requested of the Philadelphia Division other than the interview with ROSE ANN BAKER, this matter is being considered as RUC.



FBI BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAR 24 1951

TELETYPE

Mr. Tolson	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Harbo	
Mr. Madden	
Mr. Belmont	
Mr. Laughlin	
Mr. Mohr	
Tele. Room	
Mr. Nease	
Miss Gandy	

EVANS

WASHINGTON 2 FROM CHICAGO 3-24-51 12-01 PM

DIRECTOR URGENT

LOUIS CAMPAGNA, WAS, ETAL, BRIBERY, PAROLE MATTERS. REURTEL MARCH TWENTYFOUR. INVESTIGATIVE REPORT BY SAA CHARLES E. STINE BEING MAILED THIS DATE.

MC SWAIN

END

CG R 2 WA HK

RECORDED - 117

58-2000-2053

MAR 29 1951

EX-20

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5 CAL/CW

6 APR 4 1951

WASHINGTON FROM WASH FIELD 3-24-51 11:30 AM

DIRECTOR

RA LOUIS CAMPAGNA, was, et al, BRIBERY, PAROLE MATTERS.

REBUTEL MARCH TWENTY FOUR. INVESTIGATIVE REPORT SUBMITTED MARCH TWENTY THIRD LAST BY SA KENNETH T. DELAVIGNE.

STEIN

WHA:hla
58-261

58-2000

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/12/95 BY SP5A/aw

RECORDED - 75 58-2000-2054

61 MAR 31 1951

SAC, Kansas City

April 5, 1951

Director, FBI

LOUIS CAMPAGNA, was., et al;
BRIBERY
PAROLE MATTER
(Your file 58-75)

Re Kansas City letter March 26, 1951.

The results of investigation conducted in this case by the Kansas City, Chicago and Washington Field Divisions in response to the Bureau's request have been referred to the Department of Justice. Accordingly, no further investigation by any of the divisions receiving this communication is necessary in the absence of a further request from the Bureau.

The Washington Field and Kansas City Divisions can, therefore, place this case in an RUC Status. The Chicago Division will, of course, continue to follow and report the results of court action taken in this matter by the U. S. Attorney at Chicago.

cc: Chicago (58-194)
Washington Field (58-261)

RECORDED - 90
58-2000
CAE:mcp

EX-130

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Gandy

APR 5 1951

APR 7 1951

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: March 26, 1951

FROM : SAC, Kansas City

SUBJECT: LOUIS CAMPAGNA, was., ETAL
BRIBERY
PAROLE MATTER
(Bufile 58-2000)

G. I. R. -1

Rebulet to Chicago 3/8/51 and Chicago tel to Bureau and KC 3/13/51.

The Chicago office has requested the KC office to develop the plausibility of Attorney EUGENE BERNSTEIN's testimony before the Kefauver Committee in Chicago in October, 1950, that he purchased two TWA tickets from KC to Chicago for himself and DE LUCIA, then learned that CAMPAGNA and GIOE were to make the trip. BERNSTEIN's testimony continued that it was then necessary to purchase four tickets, and he gave the first two tickets purchased to an unidentified person.

It is noted that BERNSTEIN had two TWA tickets from KC to Chicago, which he purchased in KC. Then if two other people joined his party of two, he did not need to purchase four additional tickets and dispose of his first two tickets. He only needed to purchase two additional tickets. It would seem that if BERNSTEIN gave away the first two tickets he purchased in KC, he probably knew the person to whom he gave the tickets. If he sold these first two tickets to that person and did not know him, BERNSTEIN's testimony seems inconsistent, since he needed only to purchase two additional tickets for the two additional travelers, CAMPAGNA and GIOE, and did not need to purchase a complete new set of four tickets for the party of four which he said traveled from KC to Chicago.

Previous reports submitted by the KC office show that the individual purchasing these six tickets cannot be personally identified, but can be identified only by the name BERNSTEIN, which appears on these tickets. The KC office knows of no way to develop the plausibility or implausibility of BERNSTEIN's testimony other than through the testimony of former TWA Stewardess BAKER.

If the Chicago office has further suggestions as to how to develop the plausibility of BERNSTEIN's explanation, please advise the KC office.

RUC.

WMH:mf
58-75
cc - Chicago (AMSD) (58-194)
Wash. Field (AMSD) (58-261)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5CAW

RECORDED - 117
EX - 79

58-2000-2055

MAR 29 1951

EVANS

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT Chicago kc FILE NO. 58-75

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
Kansas City	3-24-51	3-12,16,24-51	C. LAWRENCE RICE . IAC

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., etal	BRIBERY PAROLE MATTER

SYNOPSIS OF FACTS:

Photographs of 6 TWA tickets involved this case and photostats of additional 12 tickets on TWA Flight #388, 8-13-47, and flight movement report obtained. PETER LASHO, Supervisor, TWA, KCMO, proper person to subpoena for TWA records.

RUC

DETAILS: AT KANSAS CITY, MISSOURI:

The following investigation was conducted by SA WILLIAM M. HAWKINS:

Mr. PETER LASHO, Supervisor, Revenue Department, TWA, Room 716, New York Life Building, 20 W. 9th, Kansas City, Missouri, advised that the originals of the 6 TWA tickets, numbered 151-861210 and 151-861211 and 151-860974 through 77, were forwarded to the United States Attorney OTTO KERNER at Chicago, Illinois on 10-17-50; a letter from Mr. KERNER dated 10-27-50 was located, which letter transmitted these tickets back to the TWA Archives Section. Although the letter has been located, the original tickets have not as yet been found. He said he would continue trying to locate them.

Mr. LASHO said that these six tickets had been photographed before sending them to Chicago, Illinois; that the negatives were in the TWA Archives; and he had photographs made from these negatives made available to the Kansas City Office.

DEFERRED RECORDING

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
	L.V. Boardman	2000-2056 RECORDED - 96

COPIES OF THIS REPORT
3 Bureau (AMSD)(58-2000)
3 Chicago (58-194)
1 Washington Field (Inf.)(58-261)
2 Kansas City
1cc Dept. (1cc Dept. 3-30-51)
3-27-51 cc (unrec)

EX-68

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED

☆ U. S. GOVERNMENT PRINTING OFFICE 16—39255-1

Mr. LASHO said that TWA Form 112, which is the flight movement report (aka the flight and traffic report) for Flight #388, 8-13-47, shows that a total of 18 passengers traveled from the originating point of the flight, Kansas City, to Chicago on this DC-3 plane. He said there was no flight manifest report prepared for this flight but that the 18 tickets in ticket envelope A-68 for Flight #388 on 8-3-47 serve as a flight manifest and show the flight number, date, ticket number, passenger's name, origin and destination. Photostats of this material were obtained.

Mr. LASHO and CHARIENE GRINTER, Superintendent of Hostesses, TWA, again attempted to find the seating plan of this flight, which former Stewardess BAKER was supposed to have prepared and submitted to GRINTER, but they again were unable to find this document.

Mr. PETER LASHO said he is the proper TWA custodian of records to subpoena. He said he would appear with the records upon receipt of a subpoena duces tecum, knew of nothing which would prevent him from making the trip to Atlanta in May 1951 but said he personally did not desire to make the trip.

The offices of the U. S. Attorney, Kansas City, Missouri, state that BERNICE JACKSON, Commerce Building, Kansas City, Missouri, a court reporter and notary public, is the person with whom the U. S. Attorney's office has a contract for grand jury reporting and the taking of depositions.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

KC-58-75

-ADMINISTRATIVE PAGE-

Photostatic copies of the flight movement report and of the 12 TWA tickets were furnished the Washington Field Office by letter dated 3-12-51, and photographs of the 6 tickets involved in the case were forwarded to the Washington Field Office by letter dated 3-16-51 for the use of agents interviewing former Stewardess BAKER.

One copy of this report is being forwarded to the Washington Field Office in view of the fact they were requested to interview former Stewardess BAKER concerning the records mentioned in this report.

REFERENCE: Bulet to Chicago 3-8-51.
Kansas City letters to Bureau 3-12-51 and 3-16-51.

Assistant Attorney General
James M. McInerney

March 28, 1951

Director, FBI

RECORDED - 13 58-2000-2057

LOUIS CAMPAGNA, was, ET AL
BRIBERY - PAROLE MATTERS
Your file JMM:TDoW:ALG
123-51-18

EX-138

The investigation requested in your letter of March 2, 1951, has been conducted and copies of investigative reports submitted in this connection are enclosed herewith.

If you determine that a transcript of the testimony of Eugene Dornstein before the Kefauver Committee may be of value in this case, as suggested by the United States Attorney in Chicago, and you are unable to secure such transcript through correspondence with this Committee we will, of course, endeavor to secure it if you so request.

No additional investigation in this matter is contemplated in the absence of a further request from you.

Enclosures

CAE:JLW:imc
58-2000

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Gandy

MAILED 2
MAR 29 1951

60 APR 4 1951

4-98

FEDERAL BUREAU OF INVESTIGATION

Division Four

3-24 1951

____Director, 5633	____Mr. Schmidt, 5263
____Mr. Tolson, 5744	____Mr. Donohue, 3710
____Mr. Ladd, 5734	____Fugitive Desk, 5720
____Mr. Clegg, 5256	____Lab. Night Sup'r.
____Mr. Glavin, 5517	____Movement Section, 5266
____Mr. Harbo, 7625	____Leave Clerk, 2704
____Mr. Belmont, 1742	____Reading Room, 5531
____Mr. Nichols, 5640	____Mail Room, 5533
____Mr. Rosen, 5706	____Coding Unit, 4642
____Mr. Tracy, 4130 IB	____Ident., 4128 IB
____Mr. McGuire, 5640	
____Miss Gandy, 5633	

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Alden
Mr. Belmont
Mr. Laughlin
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

Teletype Unit
Room 5644, Ext. 687

returned these tickets to DOROTHY RICE, TWA, Kansas City 6, Missouri, by cover letter dated October 27, 1950. The tickets listed in Mr. KERNER'S letter to DOROTHY RICE were as follows:

151861210
151861211
151860974
151860975
151860976
151860977

In his letter to RICE, Mr. KERNER requested that they be preserved for at least one year as he anticipates a possible future need for them.

Mr. KERNER explained that before the Kefauver Committee hearings in Chicago last October he questioned BERNSTEIN about these tickets. He recalled without reference to the testimony that the first two tickets listed above, according to BERNSTEIN, were purchased by him in anticipation of his return flight to Chicago with his client, PAUL DE LUCIA, with alias RICCA. BERNSTEIN further explained before the committee that upon arrival in Kansas City he learned that on the return trip it would be necessary to take subjects, LOUIS CAMPAGNA and CHARLES GIOE, which, along with DE LUCIA and himself, made it necessary that four tickets be obtained. BERNSTEIN said that he then gave the two tickets originally purchased to an unidentified person who then purchased the last four tickets listed above and gave them to BERNSTEIN.

The disposition of the first two tickets was not explained to the satisfaction of Mr. KERNER.

Mr. KERNER suggested that department attorneys avail themselves to copies of the Chicago hearings of the Kefauver Committee, for he felt that the attorneys would profit by a perusal of BERNSTEIN'S testimony.

By teletype of March 13, 1951, the Kansas City Office was advised of the return of the tickets to TWA Offices at Kansas City.

- P E N D I N G -

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-194

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	3/24/51	3/13,14/51	CES:ECS CHARLES E. STINE (A)

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., et al	BRIBERY PAROLE MATTERS

SYNOPSIS OF FACTS:

USA OTTO KERNER, JR., Chicago, advises TWA submitted six tickets purchased by EUGENE BERNSTEIN for Flight 388 of 8/13/47 which he used in questioning BERNSTEIN before Kefauver Committee hearings in 10/50 at Chicago. KERNER returned the tickets to TWA at Kansas City, Missouri, 10/27/50. KERNER suggests department attorneys review testimony of BERNSTEIN before Kefauver Committee.

- P -

DETAILS:

AT CHICAGO, ILLINOIS

By teletype dated March 12, 1951 the Kansas City Office advised that inquiry at Trans World Airlines there had revealed that six tickets purchased by EUGENE BERNSTEIN for use on Flight 388 from Kansas City, Missouri, to Chicago, Illinois on August 13, 1947 had been sent to U. S. Attorney OTTO KERNER, Jr., at Chicago. Photostatic copies of these tickets were required by the department as set forth in their letter to the Bureau dated March 2, 1951.

Mr. KERNER advised that he had received these tickets from Trans World Airlines by cover letter dated October 17, 1950, and that he had

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

58-2000-2057

RECORDED - 140

INDEXED - 140

EX 30

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2 - Atlanta
1 - Washington Field (info.)
2 - Chicago

U. S. GOVERNMENT PRINTING OFFICE 7—2034

MARCH 23, 1951 DEFERRED

SAC, CHICAGO
KANSAS CITY
WASHINGTON FIELD

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. REBULET MARCH ~~TWENTY-FOUR~~ EIGHT. SUTEL BY MARCH TWENTYFOUR THE DATE INVESTIGATIVE REPORT IN THIS CASE WAS SUBMITTED BY YOUR DIVISION TOGETHER WITH NAME OF REPORTING AGENT. IF REPORT NOT YET SUBMITTED, SUTEL EXPLANATION AND WHEN REPORT BEING FORWARDED.

HOOVER

CC: Washington Field (BSM)

CAE:mw

G.I.R.-1

EX.-136

RECORDED - 122

158-2000-2058

MAR 21 1951

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Gandy

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
MAR 24 1951
TELETYPE

FBI WASHINGTON D C 3-24-51 3-49 AM LRP

SAC KANSAS CITY DEFERRED

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. REBULET MARCH EIGHT. SUTEL BY MARCH TWENTYFOUR THE DATE INVESTIGATIVE REPORT IN THIS CASE WAS SUBMITTED BY YOUR DIVISION TOGETHER WITH NAME OF REPORTING AGENT. IF REPORT NOT YET SUBMITTED, SUTEL EXPLANATION AND WHEN REPORT BEING FOREXXX FORWARDED.

HOOVER

END AND ACK

OK FSBMLQR RLW

KM

WFO AND CG ADVISED

ACK AG PLSE

OK FBI KC CLW

DISX

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5 a/aw

DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAR 24 1951

Mr. Tolson	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Harbo	
Mr. Alden	
Mr. Belmont	
Mr. Laughlin	
Mr. Mohr	
Tele. Room	
Mr. Nease	
Miss Gandy	

TELETYPE

CHICAGO 3 FROM WASH DC 6-44 AM

SAC DEFERRED

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. REBULET MARCH EIGHT. SUTEL BY MARCH TWENTYFOUR THE DATE INVESTIGATIVE REPORT IN THIS CASE WAS SUBMITTED BY YOUR DIVISION TOGETHER WITH NAME OF REPORTING AGENT. IF REPORT NOT YET SUBMITTED, SUTEL EXPLANATION AND WHEN REPORT BEING FORWARDED.

HOOVER.

KC AND WFO ADVISED

END AND ACK

NYC R 3 CG FGK

ACK CORRCTLY

WASH R 2-3 CGK FGK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY sesa/cw

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAR 13 1951

TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy
Evans

WASHINGTON 7 FROM CHICAGO 13 8-26PM RJM

DIRECTOR AND SAC, KANSAS CITY URGENT

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3-D-95 BY SP5A/Cw

LOUIS CAMPAGNA, WAS., ETAL, BRIBERY; PAROLE MATTERS. REURTEL MARCH TWELVE. USA OTTO KERNER ADVISES THAT BY LETTER DATED OCTOBER TWENTY SEVEN LAST HE RETURNED TO TWA THE FOLLOWING TICKETS FOR FLIGHT THREE EIGHT EIGHT OF AUGUST THIRTEEN FORTY SEVEN.. TICKET NOS. ONE FIVE ONE EIGHT SIX ONE TWO ONE NAUGHT., ONE FIVE ONE EIGHT SIX ONE TWO ONE ONE., ONE FIVE ONE EIGHT SIX NAUGHT NINE SEVEN FOUR, THROUGH NINE SEVEN SEVEN. KERNER DISPLAYED LETTER TRANSMITTING THESE TICKETS. IT WAS ADDRESSED TO DOROTHY RICE, TWA, KANSAS CITY SIX, MISSOURI. THESE TICKETS HAD ORIGINALLY BEEN MAILED TO KERNER BY A LETTER DATED OCTOBER SEVENTEEN LAST OVER HER SIGNATURE. IN HIS LETTER KERNER REQUESTED THAT THEY BE KEPT FOR AT LEAST ONE YEAR AS HE ANTICIPATED A POSSIBLE FUTURE NEED FOR THEM. KERNER EXPLAINED THAT BEFORE THE KEFAUVER COMMITTEE HEARINGS IN CHICAGO LAST OCTOBER BERNSTEIN STATED THAT HE PURCHASED THE FIRST TWO TICKETS LISTED ABOVE IN ANTICIPATION OF HIS RETURN FLIGHT TO CHICAGO WITH HIS CLIENT, DE LUCIA. KERNER BELIEVES THAT THIS

END OR PAGE ONE

RECORDED - 122
EX. - 136

58-2000-2059

MAR 28 19

PURCHASE WAS POSSIBLY MADE IN CHICAGO. UPON BERNSTEINS ARRIVAL IN KANSAS CITY HE LEARNED THAT ON THE RETURN TRIP IT WOULD BE NECESSARY TO TAKE SUBJECTS CAMPAGNA AND GIOE WHICH, ALONG WITH DE LUCIA AND HIMSELF, MADE IT NECESSARY THAT FOUR TICKETS BE OBTAINED. BERNSTEIN STATED HE THEN GAVE THE TWO TICKETS ORIGINALLY PURCHASED TO AN UNIDENTIFIED PERSON WHO THEN PURCHASED THE LAST FOUR TICKETS DESCRIBED ABOVE. KANSAS CITY IS REQUESTED TO DEVELOP THE PLAUSIBILITY OF THIS EXPLANATION. SUTEL WFO. INVESTIGATION CONTINUING.

MC SWAIN

KC TO BE ADVISED

HOLD

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAR 24 1951

TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Alden
Mr. Belmont
Mr. Laughlin
Mr. Mohr
Tele. Room

FBI KANSAS CITY 3-24-5-1 2-28 P LAC

DIRECTOR DEFERRED

LOUIS CAMPAGNA, WAS, ETAL, BRIBERY, PAROLE MATTER.

REBUTEL MARCH TWENTYFOUR, FIFTYONE. RUC LETTER FORWARDED BUREAU BY THIS OFFICE MARCH SIXTEEN, FIFTYONE. HOWEVER, REPORT SETTING OUT THIS INFORMATION BEING FORWARDED BUREAU AMSD TODAY.

BOARDMAN

END

JM HOLD PLS AFTER ACK

OK 3-29 PM OK FBI WA JAK

58-2000-2060

RECORDED - 34

MAR 30 1951

EX-138

59 APR 5 1951

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3-12-95 BY SP5 alw

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: April 5, 1951

FROM : SAC, WFO

SUBJECT: LOUIS CAMPAGNA, was, et al
BRIBERY, PAROLE MATTER
(Bufile 58-2000)

Reference is made to Report of Special Agent KENNETH T. DELAVIGNE, dated March 23, 1951 at Washington, D. C., telephone call from Bureau dated March 31, 1951 and Letter from Philadelphia to Washington Field Office dated March 26, 1951.

In accordance with instructions from the Bureau, the Washington Field Office will not obtain testimony of EUGENE BERNSTEIN before the Kefauver Committee.

In accordance with referenced letter from Philadelphia, the photographs submitted by the Philadelphia Office to the Washington Field Office are returned herewith..

Enclosures for Philadelphia:

One copy of photograph of LOUIS CAMPAGNA and EUGENE BERNSTEIN.
One copy of photograph of PAUL DE LUCIA.
One copy of photograph of CHARLES GIOE and LOUIS CAMPAGNA.
One copy of photograph of ANTHONY ACCARDO.
One copy of photograph of EUGENE BERNSTEIN.

RUC

TJJ:REW
58-261
cc - Chicago (58-194)
Atlanta
Philadelphia (58-137) (Enclosure)

58-2000-2061

RECORDED - 38

APR 6 1951

1

EX-86

6 APR 10 1951

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 5/15/95 BY SP5A/aw

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-194

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	4/6/51	4/2/51	CHARLES E. STINE (A) pjf

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., etal	BRIBERY PAROLE MATTERS

SYNOPSIS OF FACTS:

Hearing for revocation of parole of PAUL DE LUCIA postponed to 5/23/51.

- P* -

DETAILS:

AT CHICAGO, ILLINOIS

On March 28, 1951, U. S. District Court Judge MICHAEL L. IGOE at the request of WILLIAM S. STEWART, attorney for PAUL DE LUCIA, postponed DE LUCIA's habeas corpus hearings from March 30 to May 23, 1951.

STEWART advised the court he is defending subjects LOUIS CAMPAGNA and CHARLES GIOE in Atlanta, Ga., early in May.

- PENDING -

APPROVED AND FORWARDED: S. R. Swaim SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

58-2000 - 2062

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EX-92

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2-Atlanta
3-Chicago

59 APR 12 1951

COPY IN FILE

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☆ U. S. GOVERNMENT PRINTING OFFICE 16—59255-1

Chicago File 58-194

LEAD PAGE

THE ATLANTA DIVISION

At Atlanta, Georgia

Will follow and report results of attempts by the U. S. Government to re-incarcerate subjects GIOE and CAMPAGNA in habeas corpus actions Nos. 2329 and 2330, LOUIS CAMPAGNA and CHARLES GIOE, Petitioners, vs. HYATT, Warden, U. S. Penitentiary, Atlanta, Ga.

THE CHICAGO DIVISION

At Chicago, Illinois

Will through contacts with the office of the U. S. Attorney follow the present case against PAUL DE LUCIA, U. S. District Court, Chicago Docket No. 50C1643.

REFERENCE: Report of SA CHARLES E. STINE (A), 1/31/51, at Chicago.

- PENDING -

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

##

MAR 15 1951

TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Telo. Room
Mr. Neece
Miss Gandy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5 alw

RA

WASH AND WASH FIELD 6 FROM CHICAGO 15 3-27 PM DWT

DIRECTOR AND SAC .....URGENT.....

G. I. R. -10

LOUIS CAMPAGNA, WAS, ETAL, BRIBERY, PAROLE MATTERS. REMYTEL MARCH THIRTEEN LAST. USA OTTO KERNER ADVISED THAT HE INTERROGATED EUGENE BERNSTEIN BEFORE KEFAUVER COMMITTEE IN CHICAGO LAST OCTOBER ABOUT THE IDENTITY OF THOSE PERSONS WHO USED THE SIX PLANE TICKETS HE PURCHASED FOR THE TWA FLIGHT THREE EIGHT EIGHT AUGUST THIRTEEN NINETEEN FORTYSEVEN. HE BELIEVES GOVERNMENT ATTORNEYS WHO WILL HANDLE ATLANTA MATTER MAY PROFIT BY PERUSAL OF BERNSTEINS TESTIMONY. UACB WFO REQUESTED TO OBTAIN COPY OF KEFAUVER CHICAGO HEARINGS AND TRANSMIT TO DEPT. THROUGH BUREAU. INVESTIGATION CONTINUING.

Fletcher advise WFO

3/22 APR 11 1951 Mena

3/23 Chicago Recvd

to get Transcript

MC SWAIN

44 HOLD

350

RECORDED - 134 158-2000-2063

INDEXED - 134

MAR 29 1951

EX-59

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-261

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
WASHINGTON, D. C.	3/23/51	3/22/51	KENNETH T. DELAVIGNE KTD:lmb

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., et al	BRIBERY; PAROLE MATTER

SYNOPSIS OF FACTS:

Mrs. HERBERT B. COOK, nee ROSE ANN BAKER, former TWA Stewardess, interviewed. Advises she has almost completely forgotten all details of TWA Flight 388 on 8/13/47. States information she furnished FBI in this regard in December 1947 was true and complete according to her recollection at that time. However, her memory concerning this information is now unrefreshed on basis of reading of excerpts to her of investigative reports detailing interviews with her by FBI. Again identified photo of EUGENE BERNSTEIN as occupant, Flight 388. Unable to identify photos of CAMPAGNA, ACCARDO, GIOE, et al, to any degree. Regarding the six TWA Flight Coupons bearing the name, "BERNSTEIN"; the Flight Coupons of other passengers of Flight 388; Passenger Manifest for Flight 388 (Form 0-174), and Flight and Traffic Report for Flight 388 (Form 0-112) states she is unable to identify any of these items; that all were prepared by other airline personnel, and to her knowledge never before seen by her. Mrs. COOK is willing to testify at Atlanta if this is considered essential.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/15/95 BY SP5CA/aw

1 cc Dept. 3-27-51 (Enclosed)
1 cc Dept. 3-30-51 (Enclosed)

DECLASSIFIED BY [illegible]

- P -

62-2000-2064

APPROVED AND FORWARDED: C. M. Stein SPECIAL AGENT IN CHARGE

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INDEXED - 13

EX-138

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2 - Kansas City (58-75)(Encl.)
1 - Atlanta (Info.)
2 - Washington Field

62-2064-342

U. S. GOVERNMENT PRINTING OFFICE 7—2034

WFO 58-261

DETAILS: AT WASHINGTON, D. C.

Mrs. HERBERT B. COOK, nee ROSE ANN BAKER, Apartment 404, 4827 4th Avenue, S.E., was interviewed and advised that her memory concerning TWA Flight #388 from Kansas City to Chicago on August 13, 1947, is at this time extremely vague. She stated that since last interviewed concerning her recollection of this Flight, she has married and has become the mother of a child, and for these reasons has completely dismissed any thought or consideration of this matter from her mind. She was thoroughly questioned concerning her present knowledge of the occupants of the TWA Flight mentioned hereinbefore and the activities of individuals participating in this flight as passengers. Mrs. COOK advised that she recalls the trip in question from Kansas City to Chicago, and indicated that she probably recalled the trip primarily because subsequent to the trip she was interviewed by representatives of the FBI. She stated that she now recalls that she began obtaining the names of the passengers on this particular flight, working from the rear of the plane forward. She was shown the photographs of EUGENE BERNSTEIN, LOUIS CAMPAGNA, ANTHONY JOSEPH ACCARDO, CHARLES GIOE, PAUL DELUCIA, CHARLES FISCHETTI, and ROCCO FISCHETTI. She unhesitatingly picked out the photograph of EUGENE BERNSTEIN and stated that she still definitely recalls that BERNSTEIN is the individual who acted as the spokesman for the group of individuals on the aforementioned Flight 388. She stated there is no question in her mind but that she can identify BERNSTEIN either by photograph or through personal observation of him.

With respect to the photographs of the other individuals named hereinbefore, she advised that the photographs generally appeared familiar to her; but when questioned as to the basis for this statement, she informed that although the photographs were familiar to her, she was unable to state at this time whether they were familiar because she had previously seen the photographs or because she had at sometime in the past seen the individuals portrayed in the photographs. She advised that she did recall that during December 1947 a Special Agent of the FBI exhibited a group of photographs to her, which she believes to have been identical with the group mentioned hereinbefore.

Mrs. COOK did state that the photograph of PAUL DeLUCIA may be that of one of the men in the rear of the DC-3 TWA plane, concerning whom she furnished information when previously interviewed by the FBI. She advised that she recalls this individual primarily because he was small, dark, and spoke in a foreign language, possibly Greek.

On the basis of a thorough review of her present recollection of the occupants of this flight, Mrs. COOK stated that she definitely feels that at the present time, if placed under oath, she could only testify that EUGENE BERNSTEIN was an occupant of the TWA Flight involved. She informed that if required to testify as to any other related activity or incident in this regard, she would be forced to say that she did not recall definitely.

In an effort to determine whether the past recollection of Mrs. COOK concerning the details of TWA Flight 388 could be refreshed, she was read excerpts from the reports of Special Agent PHILIP M. CULLEN dated at Philadelphia, Pennsylvania, December 11 and December 23, 1947, which reports set forth the details of interviews with her concerning her observations as stewardess on TWA Flight 388. She advised that her recollection, on this basis, remained almost completely unrefreshed. She stated that she does not recall having furnished Agent CULLEN the name of an individual called "ANTHONY" as indicated on page 2, paragraph 2, of Agent CULLEN's report dated December 11, 1947. She was also unable to recall having furnished Agent CULLEN information concerning the individual called "ANTHONY" as indicated in the first four paragraphs of page 3 of the same report of Agent CULLEN. She advised that it is her feeling with respect to any specific question as to the occupants or activities of Flight 388, with the exception of her identification of BERNSTEIN, that she would have to qualify her answer by stating she was not sure. She did advise, however, that all of the information she furnished to representatives of the FBI has been completely true and, at the time furnished, constituted her then complete and accurate recollection of the pertinent events.

Mrs. COOK did advise that she vaguely now recalls that the individual identified by her as BERNSTEIN occupied one of the aisle seats in the plane; that she further vaguely

recalls three other men seated somewhere in the vicinity of BERNSTEIN who seemed to be associates of his and who talked with him. She stated it is her present recollection, although this recollection is quite dim, that two small men occupied seats 20 and 21, or 19 and 21, on this flight, and as she recalls when she approached them for the purpose of obtaining their names they instructed her to see a man in the front of the plane, whom she now believes to have been BERNSTEIN. She stated that it would have been her normal procedure to have asked BERNSTEIN the names under which these two individuals were traveling when she reached BERNSTEIN's position in the plane. In this regard, however, she advised that she cannot now recall definitely the events which transpired.

Mrs. COOK was exhibited copies of the following:

1. Flight Coupons numbered: 861210
   861211
   860974,5,6,7.

2. Flight Coupons of the remaining passengers of TWA Flight 388.

3. Passenger Manifest (Form 0-174).

4. Flight and Traffic Report (Form 0-112).

After examining these items, Mrs. COOK stated she is unable to identify any of them and advised it is her understanding that all were prepared by other airline personnel and, to her knowledge, have never been seen by her. She stated that during the time she was employed by TWA, the duties of stewardesses did not include the handling of any items of this type.

Mrs. COOK stated that she is willing to testify in United States District Court at Atlanta, Georgia, in the event that her testimony is considered essential.

WFO 58-261

ENCLOSURES TO KANSAS CITY

Six photographs of TWA Flight Coupons mentioned in the body of this report.

Twelve photographs of TWA Flight Coupons mentioned in the body of this report.

Photostat of Passenger Manifest, Flight #388.

Photostat of Flight and Traffic Report, Flight #388.

- P E N D I N G -

WFO 58-261

ADMINISTRATIVE PAGE

By teletype dated March 15, 1951, the Chicago Office requested that WFO obtain a copy of the testimony of EUGENE BERNSTEIN given before the Kefauver Committee in Chicago, Illinois, during October 1950. The covering of this lead is awaiting approval of the Bureau.

WFO 58-261

LEAD PAGE

THE KANSAS CITY OFFICE

AT KANSAS CITY, MISSOURI

Will return the enclosures to this report to the offices of TWA.

THE WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

On receipt of Bureau approval will obtain from the Kefauver Committee the testimony of EUGENE BERNSTEIN.

A copy of this report has been designated for the Atlanta Office for informational purposes since the Habeas Corpus proceeding is to be heard in Atlanta, Georgia.

REFERENCES: Bureau letter dated March 8, 1951.
Philadelphia letter dated March 10, 1951.
Kansas City letter dated March 12, 1951.
Kansas City letter dated March 16, 1951
Chicago teletype dated March 15, 1951

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

KC FILE NO. 58-75

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
KANSAS CITY	4/17/51	4/9/51	WM. M. HAWKINS fb

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., et al	BRIBERY; PAROLE MATTER

SYNOPSIS OF FACTS:

ADMINISTRATIVE

Exhibits returned to PETER LASHO, TWA, KCMO.

- RUC -

DETAILS:

The six photos of the TWA tickets purchased by BERNSTEIN, the 12 TWA tickets and receipts, and the TWA Flight and Traffic Report have been returned to PETER LASHO, Supervisor, Revenue Dept., TWA, New York Life Bldg., Kansas City, Mo.

REFERRED UPON COMPLETION
TO THE OFFICE OF ORIGIN

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/55 BY SPSA/aw

APPROVED AND FORWARDED: L V Boardman SPECIAL AGENT IN CHARGE

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58-[illegible]-2065

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2 - Kansas City

APR 20 1951

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EX-24

FBI/DOJ

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U. S. GOVERNMENT PRINTING OFFICE 16—59255-1

STANDARD FORM NO. 64

Office Memorandum • UNITED GOVERNMENT

TO : Director FBI

DATE: 5-17-51

FROM : SAC Kansas City

SUBJECT: LOUIS CAMPAGNA, was, et al,
BRIBERY, PAROLE MATTERS
Bufile 58-2000

AIRMAIL * SPECIAL DELIVERY
REGISTERED

Rebutel to Kansas City dated 5-16-51.

PETER LASHO, supervisor, Revenue Department, TWA, Kansas City, Missouri, furnished the following documents which are herewith enclosed to the Bureau. These documents pertain to TWA flight #388, on 8-13-47, Kansas City to Chicago, and show that eighteen passengers were on this flight. Please return these documents to the Kansas City Office so they may be returned to Mr. LASHO. The documents are:

Photostat of flight coupon # 861210
" " " 861211
" " " 860974
" " " 860975
" " " 860976
" " " 860977

Flight coupon # 861226
" " 860995
" " 94718
" " 860980
" " 860979
" " 31213
" " 860997
" " 475120
" " 25857
" " 860994
" " 34936

One passenger manifest showing name of passenger ALLEN, a TWA employee.
One Flight and Traffic Report.

ENCL 56

Mr. LASHO said the originals of flight coupons #861210 and 861211, and #860974 through #860977 had not been located.

RUC

WMH:jl
58-75

cc: Chicago (58-194)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/21/93 BY SP5A/cw

RECORDED - 56 58-2000-2066
MAY 19 1951

6 JUN 9 1951

KC 58-75

REFERENCES: Report of SA C. LAWRENCE RICE, Kansas City, 3-24-51
Report of SA KENNETH T. DELAVIGNE, Washington Field Office, 3-23-51

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 5/17/51

FROM : SAC, Philadelphia

SUBJECT: LOUIS CAMPAGNA, was., et al
BRIBERY; PAROLE MATTER
(Bufile 58-2000)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/21/95 SESA/CS

Re WFO tel to PH 5/17/51.

Enclosed herewith are photographs of the following individuals which the Bureau has advised are needed by the Department for further court proceedings in this case:

One copy of photograph of LOUIS CAMPAGNA and EUGENE BERNSTEIN.
One copy of photograph of PAUL DE LUCIA.
One copy of photograph of CHARLES GIOE and LOUIS CAMPAGNA.
One copy of photograph of ANTHONY ACCARDO.
One copy of photograph of EUGENE BERNSTEIN.

CBL/tgm
58-137

ENCL 5

Enclosures (5)

SPECIAL DELIVERY
REGISTERED MAIL
RETURN RECEIPT REQUESTED.

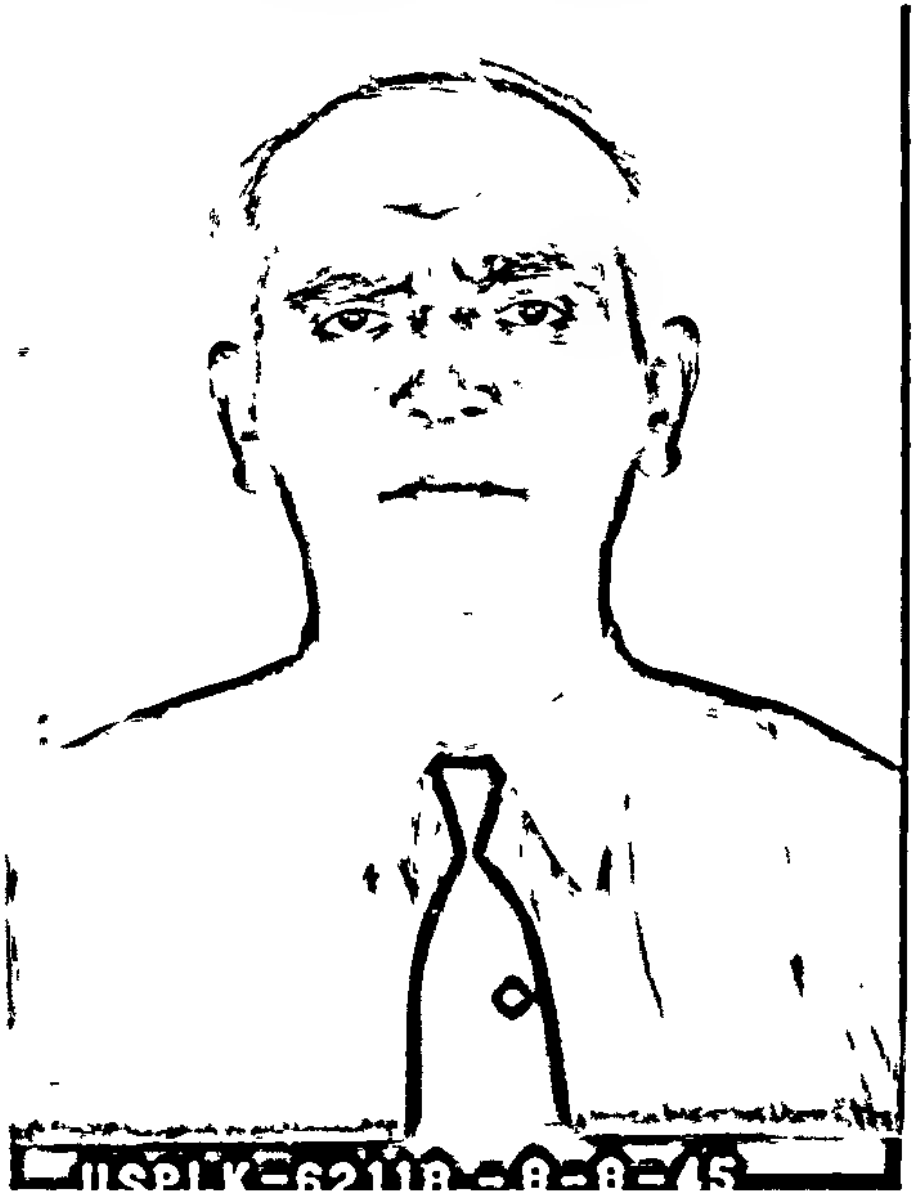
RECORDED - 71
INDEXED - 71

58-2000-2067

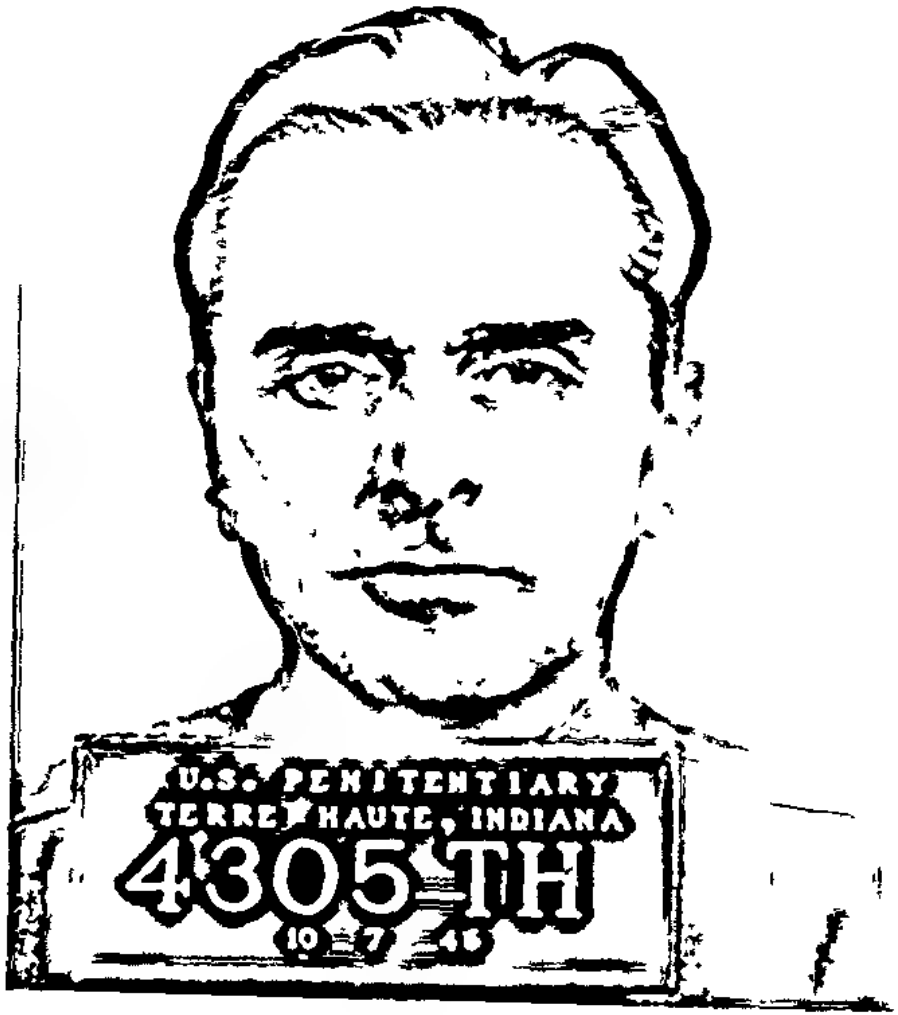
MAY 19 1951

13

6 JUN 9 1951

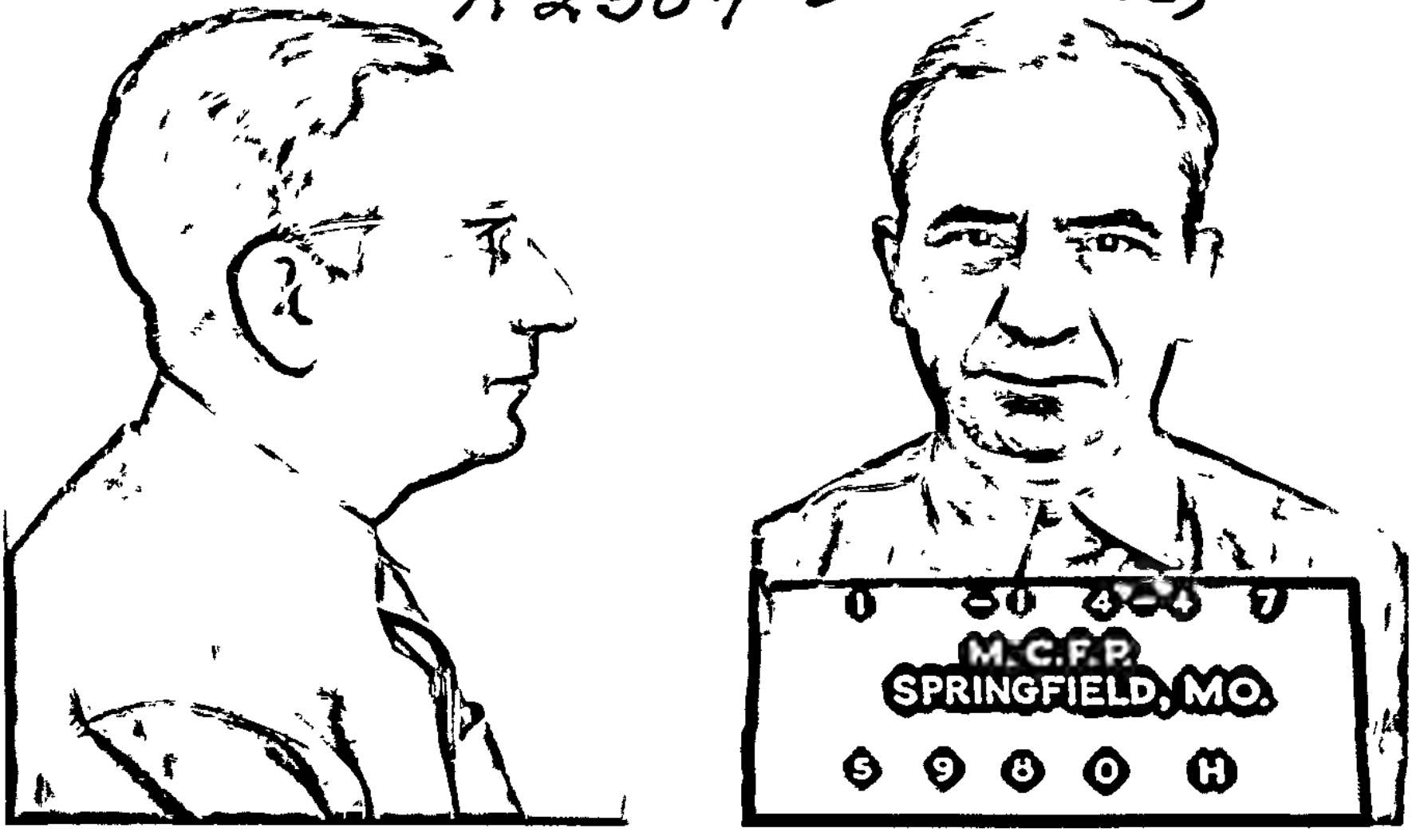


Paul de Lucia, FBI #832514


U.S. PENITENTIARY
TERRE HAUTE, INDIANA
4305 TH
10 7 45

John Roselli, FBI 3339986

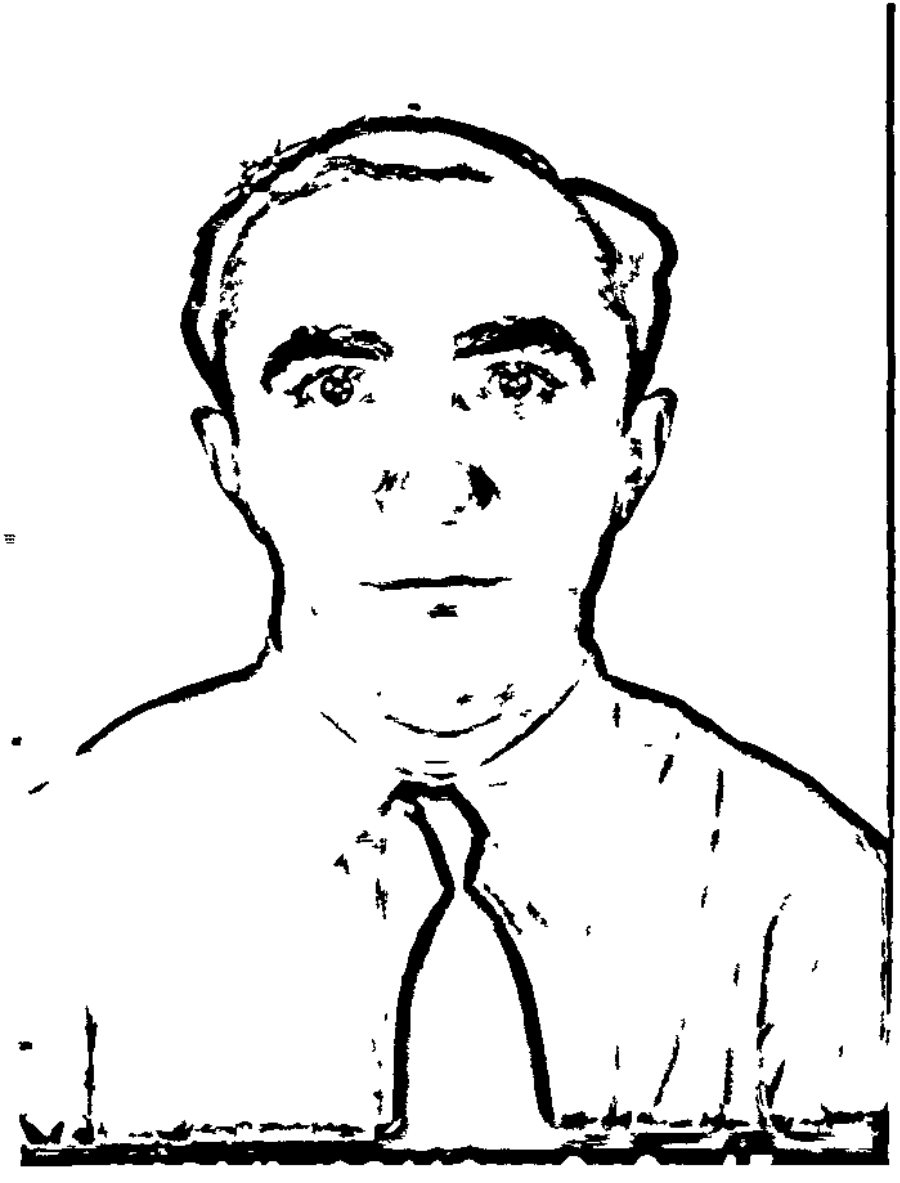
K-2307 D'Andrea, Phil

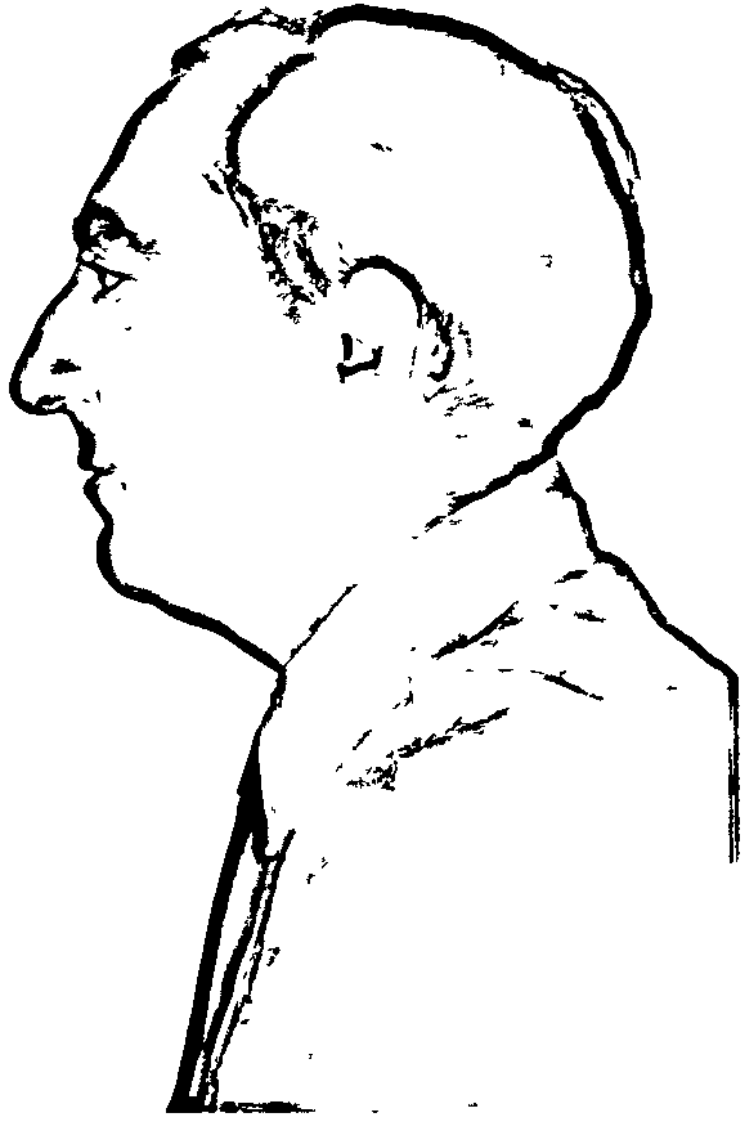


Phil D'Andrea, FBI #602720

USPLK-62121-8-8-45

Charles Gioe, FBI #3339373





Louis Compagna, FBI #618863

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: May 17, 1951

FROM : SAC, WASHINGTON

SUBJECT: LOUIS CAMPAGNA, was, ET AL
BRIBERY, PAROLE MATTER
Bureau 58-2000

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5AKW

Rebutel May 16, 1951, and mylet April 5, 1951. The Philadelphia Office has been advised by teletype to submit to the Bureau by May 21, 1951, the photographs forwarded by mylet.

Other photographs used by WFO, as reported by SA K. T. DELAVIGNE, WFO, March 23, 1951, are enclosed:

1 photograph each of CHARLES FISCHETTE alias John Serra
ROCCO FISCHETTI
CHARLES GIOE

TJJ:VIM
58-261

Enclosures

Enclosures attached & forwarded to Dept. at the Bureau letter dated 5/23

SE 5
RECORDED - 141
INDEXED - 141

58-2000-2068
MAY 17 1951

EX-121

EX-121

Assistant Attorney General
James M. McInerney

May 23, 1951

Director, FBI

LOUIS CAMPAGNA, was, et al
BRIBARY, PAROLE MATTERS

In accordance with your request the following material is being forwarded to you herewith:

Documents pertaining to TWO Flight 388 from Kansas City to Chicago, August 13, 1947.
Photostat of flight coupon #861210
Photostat of flight coupon #861211
Photostat of flight coupon #860974
Photostat of flight coupon #860975
Photostat of flight coupon #860976
Photostat of flight coupon #860977
Flight coupon # 861226
Flight coupon # 860995
Flight coupon # 94718
Flight coupon # 860980
Flight coupon # 860979
Flight coupon # 31213
Flight coupon # 860997
Flight coupon # 475120
Flight coupon # 25857
Flight coupon # 860994
Flight coupon # 34936

One passenger manifest showing name of passenger Allen, a TWA employee.

One Flight and Traffic Report.

TWA officials have advised that the originals of flight coupons 861210 and 861211, and 860974 through 860977 cannot be located at this time in the records of the TWA.

Also enclosed are the following photographs:

One copy of photograph of Louis Campagna and Eugene Bernstein.
One copy of photograph of Paul DeLucia.
One copy of photograph of Charles Gioe and Louis Campagna.
One copy of photograph of Anthony Accardo.
One copy of photograph of Eugene Bernstein.

RECORDED - 129 58-2000-2068

As soon as this material has served its purpose, it is requested that you return it to this Bureau, it being noted that the records from the TWA were secured on the condition that they be returned when the Government has no further use for them.

Enclosure

CAE:mw

Personally delivered 10:30 am 5-24-51 Also sent photos of Chas + Rocco Fischetti + Chas. Gioe from SA 2068 CAE VMH

61 JUN 9 1951

Tolson
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Rosen
Tracy
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Belmont
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Tele. Room
Nease
Gandy

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

To: COMMUNICATIONS SECTION. MAY 16, 1951 U R G E N T

Transmit the following message to: SAC, KANSAS CITY
WASHINGTON FIELD

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. REREP SA KENNETH T. DELAVIGNE AT WASHINGTON, D. C., MARCH TWENTY THIRD, NINETEEN FIFTYONE. DEPARTMENT ADVISES PHOTOS SHOWN TO MRS. HERBERT B. COOK NECESSARY IN FURTHER COURT PROCEEDINGS IN THIS CASE. WFO FORWARD PHOTOS OF INDIVIDUALS SHOWN MRS. COOK AS SET FORTH ON PAGE TWO OF REREP. KANSAS CITY SECURE ENCLOSURES LISTED ON PAGE FIVE FROM TWA AND FORWARD BUREAU AHSD. ESSENTIAL THESE BE RECEIVED AT BUREAU NO LATER THAN MAY TWENTY FIRST, NINETEEN FIFTY ONE.

HOOVER

CC: WASHINGTON FIELD (BY SPECIAL Mmessenger)

58-2000

CAE:imc

Per call from Mr. Gotschall, Attorney in Criminal Division, who is handling prosecution.

Tolson
Ladd
Clegg
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Nichols
Rosen
Tracy
Harbo
Belmont
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Tele. Room
Nease
Gandy

126 35

RECORDED - 56 58-2000-1269

MAY 19 1951

MAY 16 1951

62 MAY 24 1951

SENT VIA 7-41 M Per

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 16 1951

TELETYPE

FBI WASH DC 5-16-51 7-48 PM DBD

SAC, KANSAS CITY U R G E N T

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. REREP SA KENNETH T. DELVIGNE AT WASHINGTON, D. C., MARCH TWENTY THIRD, NINETEEN FIFTYONE. DEPARTMENT ADVISES PHOTOS SHOWN TO MRS. HERBERT B. COOK NECESSARY IN FURTHER COURT PROCEEDINGS IN THIS CASE. WFO FORWARD PHOTOS OF INDIVIDUALS SHOWN MRS. COOK AS SET FORTH ON PAGE TWO OF REREP. KANSAS CITY SECURE ENCLOSURES LISTED ON PAGE FIVE FROM TWA AND FORWARD BUREAU AMSD. ESSENTIAL THESE BE RECEIVED AT BUREAU NO LATER THAN MAY TWENTY FIRST, NINETEEN FIFTY ONE.

HOOVER

WFO ADVISED

END ACK PLS

OK FBI KC DM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-10-95 BY SP5 cal/ao

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: May 25, 1951

FROM : SAC, Atlanta

SUBJECT: LOUIS CAMPAGNA, was, etal
BRIBERY; PAROLE MATTERS
(Bufile 58-2000)

Rerep SA CHARLES E. STINE (A), 4-6-51, Chicago.

A check of habeas corpus petitions numbers 2329 and 2330, LOUIS CAMPAGNA and CHARLES GIOE, petitioners vs. HIATT, Warden, U. S. Penitentiary, Atlanta, reflects that this matter is still pending in U. S. District Court, Atlanta, Georgia.

The Atlanta Office will continue to follow instant proceedings and the Bureau and interested offices will be immediately advised.

JPS:fg
58-62

cc: Chicago (58-194)

58-2000-2070

RECORDED - 137

MAY 26 1951

EX-130

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3-12-85 BY SP2A/aw

51 JUN 2 1951

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

0-9a.

To: COMMUNICATIONS SECTION.

Transmit the following message to: MAY 24, 1951

SAC, KANSAS CITY DEFERRED

LOUIS CAMPAGNA, WAS, ETAL, BRIBERY, PAROLE MATTERS. REURTEL MAY TWENTYFOUR INSTANT.. DEPARTMENT ATTORNEY HANDLING THIS MATTER NEEDS TO RETAIN TWA RECORDS UNTIL MONDAY, MAY TWENTY-EIGHT, FOR PURPOSE OF TAKING DEPOSITIONS. RECORDS WILL BE SENT YOU AMSD REGISTERED MAIL MAY TWENTYEIGHT, NEXT.

HOOVER

CAS:JH

58-2000

RECORDED - 3

58-2000-2071

EX-599

MAY 29 1951

FBI
RECEIVED READING ROOM
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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

COMMUNICATIONS SECTION

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Nichols
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Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Candy

TELETYPE
TELETYPE

61 JUN 2 1951

SENT VIA _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 24 1951

TELETYPE

FBI WASH DC 5-24-51 7-08 PM GLE

SAC KANSAS CITY

D E F E R R E D

LOUIS CAMPAGNA, WAS, ETAL, BRIBERY, PAROLE MATTERS. REURTEL MAY TWENTYFOUR INSTANT. DEPARTMENT ATTORNEY HANDLING THIS MATTER NEEDS TO RETAIN TWA RECORDS UNTIL MONDAY, MAY TWENTY-EIGHT, FOR PURPOSE OF TAKING DEPOSITIONS. RECORDS WILL BE SENT YOU AMSD REGISTERED MAIL MAY TWENTYEIGHT, NEXT.

HOOVER

ACK AND H O L D PLS

OK FBI KC DM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5 alw

SAC, Kansas City

May 28, 1951

Director, FBI

AIR MAIL SPECIAL DELIVERY
REGISTERED

RECORDED - 136

LOUIS CAMPAGNA, was., ET AL.
BRIBERY, PAROLE MATTERS

2072

Rourtel May 24, 1951.

As requested by you, the documents which you forwarded to the Bureau with your letter of May 17, 1951, are enclosed herewith.

Enclosure
58-2000

CAE:ige

MAY 28 1951
FBI

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 24 1951

TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Alden
Mr. Belmont
Mr. Laughlin
Mr. Mohr
Mr. Room
Mr. Tease
Miss Gandy

FBI-KANSAS CITY 5-24-51 9-55 AM DM

DIRECTOR.....U R G E N T

LOUIS CAMPAGNA, WAS., ET AL, BRIBERY, PAROLE MATTERS. BUFILE FIVE EIGHT DASH TO THOUSAND. REMYLET MAY SEVENTEEN LAST. PETER LASHO, TWA, KCMO, HAS RECEIVED SUBPOENA FOR JUNE ELEVEN NEXT TO APPEAR IN ATLANTA WITH RECORDS. PLEASE RETURN IMMEDIATELY TO KC THE TWA RECORDS SUBMITTED BUREAU WITH REFERENCED LETTER, SO LASHO CAN CONSULT WITH TWA LEGAL DEPT., BEFORE TAKING RECORDS TO ATLANTA. CHICAGO ADVISED.

BOARDMAN 5/24/51 Mr. Gottschall phoned he needs material to take to trial Monday & will return Tuesday afternoon

END

CORR LINE 2 SECOND WORD IS TWO AND LAST LINE WORD IS RECORDS

HOLD PLS

11-58 AM OK FBI WA JD

RECORDED - 136 58-2000-2072

MAY 31 1951

24

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/5/95 BY SP5 AW

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Mr. Merse
Tele. Room
Mr. Nease
Miss Gandy

TO : Director, FBI

DATE: May 29, 1951

FROM : SAC, Chicago

SUBJECT: LOUIS CAMPAGNA with aliases; etal
BRIBERY; PAROLE MATTERS
Bureau File No. 58-2000

There is attached hereto for the information of the Bureau and the San Francisco Office a photostat of a letter, with enclosure, received from the United States Attorney in Chicago pertaining to the above captioned case.

Pursuant to authority of Assistant Director Rosen today the San Francisco office is requested to interview Harry Winkelbach at the Alameda County Jail, Alameda, California, for the purpose of developing information regarding the identity of "Mr. Murphy" and such other information as he may have bearing upon the activities of Paul Ricca, Louis Campagna or Charles Gioe during the time that they were on parole following their release from Leavenworth Penitentiary.

GRM:MG

Encl.

cc-San Francisco (Encl.)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/25/93 BY SP5 CA/Ca

ENCLOSURE ATTACHED

ENCL 9

RECORDED - 9 58-2000-2073
EX. - 37
INDEXED - 9
MAY 31 1951

36 JUN 7 1951

United States Department of Justice

IN REPLY REFER TO INITIALS AND NUMBER

Otto Kerner, Jr.:LM

UNITED STATES ATTORNEY
NORTHERN DISTRICT OF ILLINOIS
450 UNITED STATES COURT HOUSE
CHICAGO

May 28, 1951

George R. McSwain, Esquire
Special Agent in Charge
Federal Bureau of Investigation
Post Office Box 812
Chicago 90, Illinois

Dear Mr. McSwain:

A copy of the enclosed letter, directed to Dr. Killinger by Mr. Robinson, arrived in my mail during my absence in Washington. The contents of it, if they can be verified, would be of great importance in the hearings of Campagna, Gioe, and DeLucia, and could be important in the proceedings in the court here and in Atlanta.

I would very much appreciate your office contacting [redacted] and getting all the information availabe concerning the identity of [redacted] b7D

Very truly yours,

Otto Kerner, Jr.
United States Attorney

Enclosure

SEARCHED.....INDEXED.....
SERIALIZED.....FILED.....
MAY 28 1951
FBI - CHICAGO

(C O P Y)

STATE OF CALIFORNIA

DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

San Francisco, California
April 30, 1951

Dr. George G. Killinger
Board of Parole
Federal Home Loan Bank Building
First & Indiana, N. W.
Washington, D. C.

Dear Dr. Killinger:

This will acknowledge and thank you for your letter of April 9 in answer to my inquiry of March 27 with respect to Harry Goldberg, alias Harry Gilbert.

One of the investigators of this office has made a check with the court records of San Francisco and a copy of his memorandum with respect thereto is forwarded for your information. You will note that reference is made therein to a Floyd Russell, owner of Corbett Real Estate Company. In this connection it may be noted that Floyd Russell was a witness before the Senate Crime Committee in San Francisco at an executive hearing held on November 21. He was questioned at that time concerning his operation of Corbett's, Inc., a betting commission house. It is our information that Goldberg's recent bookmaking activities have an indirect relationship to the betting commission business of Floyd Russell.

In connection with Mr. Paul Ricca and Louis Campagna, and knowing of your interest in these two individuals, I might mention the fact that I have recently interviewed [redacted] b7D
[redacted] as Ricca and Campagna and after their release accommodated [redacted] where [redacted] Ricca was apparently particularly interested in [redacted] who served time in Leavenworth for [redacted] and another individual from Cedar Rapids who served time in Leavenworth for a violation of the [redacted]

On [redacted] release from [redacted] he went to [redacted] with Ricca and Campagna through Scott Stewart, their attorney, [redacted]

[redacted]

b7D

Chapman has recently been arrested charged with the sale of narcotics and has been unable to make $25,000 bail because of pending deportation proceedings filed by the Immigration authorities.

[redacted]

In the event the foregoing is of interest to you in connection with the Ricca--Campagna matter, I might state that whatever information is in possession of this office will, in the very near future, be turned over to the Federal Narcotics authorities and should be available to you from their files at Washington, D. C.

With kindest personal regards,

Sincerely yours,

(Signed) H. G. ROBINSON

H. G. ROBINSON
Deputy Director

HGR:fla

Enclosure

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

0-9a

To: COMMUNICATIONS SECTION.

Transmit the following message to: JUNE 16, 1951 URGENT

SAC, SAN FRANCISCO

LOUIS CANTAGNA, WAC, ET AL, PRIORITY, PAROLE MATTER. RECEIPT JUNE EIGHT. IMMEDIATELY ARRIP INTERVIEW TO BE CONDUCTED JUNE EIGHTEEN, SUBP INCORPORATING PURPOSE OF REQUEST FOR INVESTIGATION AND COMPLETE DETAILS OF INVESTIGATION. DELETE ALL ADMINISTRATIVE DATA AND USE T SYMBOL WHERE ESSENTIAL TO PROTECT CONFIDENTIAL SOURCES.

RECORDED - 39

HOOVER

52-2000 - 2074

CC: CHICAGO (BY MAIL)

CAE:INC

TELETYPE

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
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Belmont
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Tele. Room
Nease
Gandy

U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
JUN 16 1951

RECEIVED READING ROOM
F B I
U.S. DEPT OF JUSTICE
JUN 16 5 23 PM '51

JUN 19 1951 TELETYPE 10-30 M

SENT VIA _____ Per _____

SF GA

SAN FRAN 19 FROM WASH DC 16 10-30 PM

SAC. DEFERRED

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. REURLET JUNE EIGHT. IMMEDIATELY AFTER INTERVIEW TO BE CONDUCTED JUNE EIGHTEEN, SUREP INCORPORATING NATURE OF REQUEST FOR INVESTIGATION AND COMPLETE DETAILS OF INVESTIGATION. DELETE ALL ADMINISTRATIVE DATA AND USE T SYMBOL WHERE ESSENTIAL TO PROTECT CONFIDENTIAL SOURCES.

HOOVER

HOLD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5 alw

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: June 8, 1951

FROM : SAC, SAN FRANCISCO AMSD

SUBJECT: LOUIS CAMPAGNA, was, ETAL
BRIBERY; Parole Matters
Bufile 58-2000

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5 AK

Reference is made to telephone call from the Chicago Office dated 5/29/51 which requested that [redacted] be interviewed at the [redacted] California. This request was based upon a letter writeen by MR. H. G. ROBINSON, Deputy Director, State of California, Department of Justice, dated April 30, 1951, at San Francisco, addressed to DR. GEORGE G. KILLINGER, Board of Parole, Washington, D. C.

For your information [redacted] on [redacted] on [redacted]

The records of the Identification Bureau of the [redacted] was sent to the [redacted]

b7D

H. G. ROBINSON, Deputy Director, Department of Justice, State of California, advised [redacted] He advised that all of the information he received [redacted] on a confidential basis. ROBINSON exhibited to an Agent of this office parts of the statement he obtained from [redacted] which is pertinent to this case. This is as follows:

DEPT. OF JUSTICE
JUN 12 1951
b1

[redacted]

EPP/hc
58-103
cc - Chicago 58-194

RECORDED - 4
EX. - 37
INDEXED - 4

58-2000 - 2074

25

Sent from cc: Chicago 6-16-51

[redacted]

b7D

[redacted] further related that [redacted] Office was closed when he tried to contact the latter. On the [redacted] moved to the [redacted] Street in Chicago and then he went [redacted] Chicago. [redacted] when [redacted] was there. [redacted] He did not see [redacted] that night so he asked [redacted]. The bartender put him in touch with a brother of [redacted] had not previously known. The brother made a telephone call on behalf of [redacted] to one [redacted] What this phone call was about was not stated by [redacted]

He further stated that on [redacted] he again went to [redacted] Office but could not get in, but he noticed that a secretary was on duty there so he went to a nearby Walgreen Drug Store and called [redacted] whom he talked to in [redacted] Office during this conversation. He then went to [redacted] house where he spent the night, and then he spent two days at his mother's home in [redacted]

he was back in Chicago, and on the following Friday he called [redacted] Office from the Drug Store. He gave them his phone number and a short [redacted] called him at that number. He stated that at first [redacted] remember him but when he [redacted] recalled who he was. [redacted] indicated that he asked [redacted] job [redacted] did not have one available [redacted] told [redacted] that he was going to the West Coast and he asked [redacted] who to contact out there. At that time [redacted] Nevada; and contact [redacted] was located. He was to contact [redacted] It is noted here that [redacted] is a well known Nevada gambling figure who has served time in the Federal Penitentiary for income tax evasion. He stated that [redacted] him that if he could not get in touch with [redacted] then he was to contact [redacted].

In Chicago [redacted] contacted the PASCAL AGENCY on Lawrence Ave., and made arrangements to drive a new car out to Oakland, Calif. [redacted] related that he left Chicago in this new car and stopped for awhile at the home of a relative [redacted] on October 21, 1950. He arrived in [redacted] on October 25th and contacted [redacted] however, the latter did not appear to be friendly to him, he learned that [redacted] was in the San Francisco Bay area from [redacted] He pawned his clothes in Reno to get some money and then drove to Oakland, Calif. where he arrived on October 26, 1950, and delivered the car to an agency at 1610 Harrison St., Oakland on October 27, 1950. On October 26, 1950, he stayed at [redacted] in Oakland and then he went to San Mateo, California, where he called [redacted] and asked him for the address [redacted] He stated that [redacted] was residing at [redacted] Avenue, San Mateo. He then got in touch with [redacted] and since that time has been associated with him in the narcotics racket. The rest of his statement is not pertinent to this case according to ROBINSON.

b7D

For your information [redacted] is identical with [redacted] was arrested by Federal Bureau of Narcotics in San Francisco for violation of the Narcotics Laws.

ROBINSON has advised that [redacted] comes up for plea in Superior Court of [redacted] and the indications are that he will plead guilty. ROBINSON specifically requests that any interview with [redacted] be held in abeyance until after that date.

Information has been received on a confidential basis from [redacted] NA, of the [redacted] who is well acquainted with all phases of the [redacted] case, that the investigation and arrest of [redacted] was conducted by the California State Bureau of

Narcotics. After his arrest the Federal Bureau of Narcotics advised everyone concerned that this arrest was premature and that it interferred with an investigation by the Federal Bureau of Narcotics into [redacted] and his activities, consequently relationship between these two agencies have been strained because of this. Also in this connection [redacted] confidentially advised that on several occasions he talked with [redacted] and the latter indicated [redacted] at that time, wanted to discuss this matter with someone higher in authority than the State Bureau of Narcotics, so ROBINSON was brought into the picture. [redacted] talked in detail to ROBINSON in connection with his activities since getting out of the Penitentiary and the information set out above is part of that. [redacted] advised that this conversation was recorded without [redacted] knowledge. He advised that later ROBINSON made available to ERNEST GENTRY, Head of the Federal Bureau of Narcotics in San Francisco, full information concerning his interview with [redacted] which included a detailed report on the interview. Later, according to [redacted] GENTRY interviewed [redacted] and showed him the report of ROBINSON'S. Because of this [redacted] at the present time, is not inclined to make any further statements since he does not believe that they are being held in confidence.

b7D

In view of this information it is the opinion of this office that an interview with [redacted] should be held in abeyance, as ROBINSON has requested, until after [redacted] At that time he will be interviewed concerning this case. The above information received from [redacted] should be kept confidential in connection with the investigation of this case. You will be advised of further developments.

FEDERAL BUREAU OF INVESTIGATION

92-1
94-1
92-1
96-1

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-194

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	6/6/51	5/28/51	CHARLES E. STINE mll

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was. et al	PRIBERY PAROLE MATTERS

SYNOPSIS OF FACTS: Federal Judge JOHN P. BARNES, Chicago, on May 21, 1951, authorized use of transcript of Chicago Grand Jury Proceedings by Attorney General in case at Atlanta, Georgia, against subjects CAMPAGNA and CHARLES GIOE. Hearing for revocation of parole of PAUL DE LUCIA postponed to June 8, 1951.

- P -

DETAILS: AT CHICAGO, ILLINOIS

Assistant United States Attorney ANTHONY SCARIANO advised that on May 21, 1951, United States District Court Judge JOHN P. BARNES authorized the use of a transcript of the proceedings of the November 1947 Grand Jury at Chicago, by the Attorney General at Atlanta, Georgia, in the case now pending there against subjects CAMPAGNA and CHARLES GIOE.

Three copies of this order entered by the Court on May 21, 1951, were forwarded to the Attorney General by the United States Attorney's Office, Chicago, on the same date.

Mr. SCARIANO also advised that the hearing for revocation of PAUL DE LUCIA'S parole has been set for June 8, 1951, before Judge MICHAEL IGOE.

- P E N D I N G -

3215 Spsa/ow

APPROVED AND FORWARDED: H R McGuire SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

58-1200-2075 RECORDED - 109
EX - 52

COPIES OF THIS REPORT
3 - Bureau (58-2000)
2 - Atlanta
2 - Chicago

COPY IN FILE

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED

62 JUN 18 1951

U.S. GOVERNMENT PRINTING OFFICE 16—59255-1

CG 58-194

LEADS

ATLANTA DIVISION

At Atlanta, Georgia

Will follow and report results of attempts by the U. S. Government to re-incarcerate subjects GIOE and CAMPAGNA in habeas corpus actions Nos. 2329 and 2330, LOUIS CAMPAGNA and CHARLES GIOE, Petitioners, vs. HYATT, Warden, U. S. Penitentiary, Atlanta Georgia.

CHICAGO DIVISION

At Chicago, Illinois

Will through contacts with the office of the U. S. Attorney follow the present case against PAUL DE LUCIA, U. S. District Court, Chicago Docket No. 50C1643.

REFERENCE: Report of SA CHARLES E. STINE (A), April 6, 1951, at Chicago.

- P E N D I N G -

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 6-23-51

FROM : SAC, San Francisco

AMSD

SUBJECT: LOUIS CAMPAGNA, WAS
ET AL
BRIBERY
PAROLE MATTERS

Rerep SA WILLIAM P. POOLE dated 6-23-51 at San Francisco.

At the time that [redacted] was interviewed by an agent of this office on 6-18-51 he was not cooperative and plainly expressed his desire not to discuss this case any further. His lack of cooperation is due, as set out in my letter dated 6-8-51 to the Director, to the fact that he believed at the time he disclosed information to H. G. ROBINSON that this information would be held in confidence. However, he later found out that this information was made available to the Alameda County District Attorney's Office, the Federal Narcotics Bureau and State Narcotics Officers. He also indicated that as the basis for his talking he had received some assurance that his wife would not be prosecuted, however, she is being prosecuted and, therefore, at the present time he has no desire to cooperate with law enforcement officers.

It has been felt, however, by the agent who interviewed [redacted] b7D that after several contacts with him in the near future that it will be possible to obtain from [redacted] information he possesses in connection with this case. He will be contacted on several occasions in the near future concerning the matter and any further developments will be made known to you.

It is noted that no leads have been set out in enclosed report for any other offices and it is being left to the discretion of the office of origin as to what investigation should be conducted as a result of this information.

The Chicago Office is requested to forward immediately to this office all pertinent background information concerning this case so that it can be used in the interview of [redacted]

EX - 37

RECORDED - 44

58-2000-2076

JUN 26 1951

WPP:mht
58-103

cc: Chicago
Atlanta

JUL 10

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE 3/2/95 BY SP5A/aw

Assistant Attorney General
[illegible] McInerney
Attention: Mr. Cottonwell
Director, FBI

[illegible]

July 3, 1951

There is enclosed a copy of an investigative report in the case entitled by Special Agent [illegible] dated June 23, 1951, at [illegible], Incorporated, and results of investigation requested by the U. S. Attorney at Chicago.

Due to the fact that Harry [illegible] was not contacted and plainly expressed a desire not to discuss this matter, further efforts will not be made to interview him [illegible] cooperation at the meeting scheduled.

You will be promptly advised of any information received in connection with this contemplated interview.

Enclosure

RECORDED - 61
EX-130
62-2000 —2077
CAF:mhl

3/2/95 SPSA(aw)

FBI
[illegible]

FD-72
(1-10-49)

FEDERAL BUREAU OF INVESTIGATION

FORM No. 1
THIS CASE ORIGINATED AT CHICAGO FILE NO. 58-103

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
San Francisco	JUN 23 1951	6-1,2,4,5,7,18, 19/51	WILLIAM P. POOLE mht

TITLE
(1)
LOUIS CAMPAGNA, WAS, ET AL

CHARACTER OF CASE
BRIBERY
PAROLE MATTERS

SYNOPSIS OF FACTS:

H. G. ROBINSON, Deputy Director, California State Department of Justice, advised that he received information from [redacted] indicating [redacted]

b7D

- P -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/12/98 BY SP5 CAW

DETAILS:

Investigation in this case is based upon a telephone call on May 29, 1951 received by this office from Special Agent in Charge McSWAIN of the Chicago Office.

APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

58-12000-1207 RECORDED - 44
EX. - 37
INDEXED - 44
JUN 26 1951
10

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3 - Chicago (1-USA) (AMSD)
2 - San Francisco

PROPERTY OF FBI—This confidential report and its contents are loaned to you by the FBI and are not to be distributed outside of agency to which loaned.

U. S. GOVERNMENT PRINTING OFFICE 16—60637-1

SF #58-103

SAC McSWAIN advised that the U. S. Attorney in Chicago had requested investigation in this case after receiving from the Parole Board in Washington, D.C. a copy of a letter from Mr. H. G. ROBINSON, Deputy Director, State of California Department of Justice, dated April 30, 1951, at San Francisco, California, directed to DR. GEORGE G. KILLINGER, Board of Paroles, Washington, D.C. in which ROBINSON indicated that he [redacted] and the latter gave him information concerning the subjects of this case.

AT OAKLAND, CALIFORNIA

[redacted]

The records of the Identification Bureau of the [redacted] was sent to the [redacted] b7D

H. G. ROBINSON, Deputy Director, Department of Justice, State of California, advised [redacted] He advised that all of the information he received [redacted] on a confidential basis. ROBINSON exhibited to an agent of this office parts of the statement he obtained from [redacted] which is pertinent to this case. This is as follows:

[redacted]

SF #58-103

[redacted]

b7D

[redacted] further related that [redacted] office was closed when he tried to contact the latter. On the [redacted] moved to the [redacted] Street in Chicago and then he went [redacted] Chicago. [redacted] was there. [redacted] He did not see [redacted] that night so he asked [redacted] The bartender put him in touch with a brother of [redacted] had not previously known. The brother made a telephone call on behalf of [redacted] to one [redacted] What this phone call was about was not stated by [redacted]

He further stated that on [redacted] he again went to [redacted] office but could not get in, but he ncticed that a secretary was on duty there so he went to a nearby Walgreen Drug Store and called [redacted]

whom he talked to in [redacted] office during this conversation. He then went to [redacted] house where he spent the night, and then he spent two days at his mother's home in [redacted] he was back in Chicago, and on the following Friday he called [redacted] office from the drug store. He gave them his phone number and a short [redacted] called him at that number. He stated that at first [redacted] remember him but when he [redacted] recalled who he was. [redacted] indicated that he asked [redacted] job, but [redacted] did not have one available [redacted] told [redacted] that he was going to the West Coast, and he asked [redacted] who to contact out there. At that time [redacted] Nevada, and contact [redacted] was located. He was to contact [redacted] It is noted here that [redacted] is a well known Nevada gambling figure who has served time in the Federal Penitentiary for income tax evasion. He stated that [redacted] told him that if he could not get in touch with [redacted] then he was to contact [redacted]

b7D

In Chicago [redacted] contacted PASCAL AGENCY on Lawrence Avenue and made arrangements to drive a new car out to Oakland, California. [redacted] related that he left Chicago in this new car and stopped for awhile at the home of a relative [redacted] on October 21, 1950. He arrived in [redacted] on October 25th and contacted [redacted] however, the latter did not appear to be friendly to him; he learned that [redacted] was in the San Francisco Bay area from [redacted] He pawned his clothes in Reno to get some money and then drove to Oakland, California where he arrived on October 26, 1950, and delivered the car to an agency at 1610 Harrison Street, Oakland, on October 27, 1950. On October 26, 1950, he stayed at [redacted] in Oakland and then he went to San Mateo, California, where he called [redacted] and asked him for the address of [redacted] He stated that [redacted] was residing at [redacted] Avenue, San Mateo. He then got in touch with [redacted] and since that time has been associated with him in the narcotics racket. The rest of his statement is not pertinent to this case according to ROBINSON.

It is pointed out that [redacted] is identical with [redacted] was arrested by Federal Bureau of Narcotics in San Francisco for violation of the Narcotics laws.

On [redacted] entered a plea of guilty in Superior Court in Oakland, California, to a narcotics law violation. He

was immediately sentenced to a term of one to ten years in the California State Prison. On this date also [redacted] entered a plea of guilty to possession of narcotics in Superior Court at Oakland, California and her case was referred to the State Probation Officer for investigation.

On [redacted] was interviewed by reporting agent at the [redacted] At that time [redacted] advised that he did not desire to do any talking on [redacted] H. G. ROBINSON, as set out above in this report, is true in connection with his associations with PAUL RICCA and LOUIS CAMPAGNA. He indicated that at this time he did not care to discuss the matter further. [redacted] b7D

advised that lately he has seen considerable publicity in the newspapers concerning this individual. [redacted] this individual as being named [redacted] He was asked if this individual could be identical with [redacted] Tam O'Shanter Country Club, whose name recently has appeared in newspapers. [redacted]

[redacted] identity of the individual from Cedar Rapids whose photograph RICCA desired. He stated, however, that this individual was approximately twenty-two years old in 1947 and that he had been sentenced to a term of three years in the Federal Penitentiary from the Cedar Rapids, Iowa. He stated that this individual was paroled around May of 1947.

[redacted] that CAMPAGNA and RICCA were paroled from Leavenworth around August of 1947 and that the day before their parole he had lunch with RICCA at the penitentiary. He stated that on this occasion [redacted] from another inmate who [redacted] and pass them on to [redacted] that

SF #58-103

at that time he was employed as [redacted] at Leavenworth Penitentiary, and he denied [redacted] b7D

[redacted] desire for the [redacted] the man from Cedar Rapids [redacted] merely a go-between in this deal.

[redacted] refused to discuss the case further.

- P E N D I N G -

SF 58-103

ADMINISTRATIVE PAGE

LEADS

SAN FRANCISCO DIVISION

At San Quentin Penitentiary

Will re-interview [redacted] concerning his knowledge of this case. b7D

REFERENCES

San Francisco letter to Bureau dated June 8, 1951
Teletype from Chicago dated June 13, 1951.
Teletype from Bureau dated June 16, 1951.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: June 23, 1951

FROM : SAC, Miami

SUBJECT: LOUIS CAMPAGNA, was. et al
BRIBERY
PAROLE MATTER

Reference is made to Chicago teletype to Director and SACS Miami and Atlanta, June 22 last, and Atlanta teletype same date to Miami.

Inasmuch as Atlanta advises in second reference that the hearing of captioned case in U. S. District Court, Atlanta, was concluded the 14th instant and taken under advisement by Court, it allowed attorneys of both sides until August 15 to submit briefs. Atlanta likewise advises that interview of Mrs. ORETTA CARROLL may be of benefit in future but need not be expedited.

In view of the above instructions from Atlanta and in the absence of Bureau instructions, this matter will be held in abeyance pending further request by Atlanta, which office is origin in this matter. Same remains in an RUC status this office.

WWB:bmk
58-99

G. I. R.

cc - Atlanta
Chicago

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3-10-93 SESALAN

2078

RECORDED - 58 58-2000

JUN 26 1951

EX-138

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-194

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	6/27/51	6/26/51	ROY W. MOHRMAN (A) RWM:OH

TITLE
LOUIS CAMPAGNA, was., Et Al

CHARACTER OF CASE
BRIBERY
PAROLE MATTERS

SYNOPSIS OF FACTS:

Hearing for revocation of parole of PAUL DE LUCIA continued until Oct. 2, 1951.

- P - F.R.T.D.

DETAILS:

AT CHICAGO, ILLINOIS

The docket in the office of the Clerk of the United States District Court, Chicago, reflects that on June 18, 1951 by agreement of the interested parties, the hearing for revocation of the parole of PAUL DE LUCIA was continued until October 2, 1951 before U. S. District Court Judge MICHAEL L. IGOE.

cc-Sam Murray-CPD
7-15-52-BCC

- PENDING -
58-2000-2079

APPROVED AND FORWARDED: [illegible] SPECIAL AGENT IN CHARGE

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JUN 29 1951

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JUL 9 1951 FBI

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Chicago File 58-194

ADMINISTRATIVE PAGE

LEADS

THE CHICAGO DIVISION

At Chicago, Illinois

Will follow the hearing for revocation of the parole of PAUL DE LUCIA in U. S. District Court, Chicago, Docket No. 50-C-1643.

REFERENCE

Report of SA CHARLES E. STINE (A) dated June 6, 1951 at Chicago, Illinois.

RECORDED - 64

EX-130

GAE:nhl

3/2/95 SPSA/sw

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Alden
Belmont
Langhlin
Mohr
Tele. Room
Nease
Gandy

FBI

Rec'd 6:15 PM ED

JUL 2

TELETYPE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9-19-95 BY SP5A/ca

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. A
Mr. De
Mr. Laugh
Mr. Mohr
Tele. Room
Mr. Ne
Miss Gandy
Evans

WASHINGTON 8 FROM CHICAGO 6-22-51 4-11 PM BL

DIRECTOR AND SACS, MIAMI, ATLANTA URGENT

LOUIS CAMPAGNA, NR, WAS, ETAL. BRIBERY, PAROLE MATTERS. TODAY-S ISSUE OF DAILY SUN TIMES CARRIES ARTICLE INDICATING THAT ONE MRS. ORETTA CARROLL TESTIFIED BEFORE SENATE CRIME INVESTIGATING COMMITTEE THURSDAY IN MIAMI THAT HER FORMER HUSBAND, MARTIN ACCARDO, FROM NINETEEN FORTYFOUR TO FORTYEIGHT, OPERATED A CLUB IN CICERO, ILL., AND THAT SHE OBSERVED CAMPAGNA AT THIS CLUB. ARTICLE IS NOT DEFINITE AS TO WHEN SHE ALLEGEDLY OBSERVED CAMPAGNA AT THIS CLUB. USA OTTO KERNER, CGO, DESIRES THAT MRS. CARROLL BE INTERVIEWED IN EFFORT TO DETERMINE IF SHE OBSERVED CAMPAGNA AT THIS CLUB SUBSEQUENT TO AUGUST, FORTYSEVEN, KERNER-S THEORY BEING THAT IF CAMPAGNA FREQUENTED THIS CLUB, IT WOULD HAVE BEEN IN VIOLATION OF HIS PAROLE AND WOULD THEREFORE BE IMPORTANT AS EVIDENCE IN HEARING PRESENTLY BEING HELD BEFORE USDC IN ATLANTA, GA. UACB MIAMI IS REQUESTED TO INTERVIEW MRS. CARROLL TOMORROW FOR PURPOSE OF DEVELOPING THIS INFORMATION. SUCH INFORMATION SHOULD BE FURNISHED TO ATLANTA FOR POSSIBLE USE IN PRESENT HEARING BEING HELD THERE.

92-1

158-2-2080

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G.I.R.

MC SWAIN

MM AND AT ADVISED

END

62 JUL 21 1951

cc: Evans

EX-71

TT CG R8 WA NM

SAC, Chicago

July 17, 1951

Director, FBI

[redacted], was., et al
[redacted]
[redacted]
(Your File 52-164)

Reurlet July 16, 1951.

On the basis of the information furnished the Bureau has been unable to locate any Identification Division record for a James F. Lyon who has served time at Leavenworth Penitentiary. The name Lyon is, of course, a very common one, and there are numerous identification records of individuals by the name of James Lyon. In order to assist the Identification Division in further checking its records you are requested to supply the Bureau with a complete description of this individual as possible.

You should also determine if any fingerprints were submitted in connection with the incarceration of James F. Lyon in the Cook County Jail in connection with a contempt of court charge. Full details concerning any fingerprint card submitted should be obtained. If fingerprints of this individual were taken but not forwarded to the Identification Division a copy of such fingerprints should be obtained in order that a complete search of the Identification Division files may be made.

RECORDED - 21
52-3000 - 2081
EX.-63
cc: San Francisco

31 JUL 25 1951

CAE:mec

NOTE: Information re Ident files received from Mrs. Olson.

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Alden
Belmont
Laughlin
Mohr
Tele. Room
Nease
Gandy

52 AUG 1 1951

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: July 16, 1951

FROM : SAC, CHICAGO

AMSD

SUBJECT: LOUIS CAMPAGNA, was, et al
BRIBERY; PAROLE MATTERS
(Bufile 58-2000)

Re San Francisco letter to Bureau and Chicago dated June 23, 1951 and report of SA WILLIAM P. POOLE, San Francisco, June 23, 1951.

Pursuant to request in re letter from San Francisco dated June 23, 1951, a review of Chicago files has been made and serials which might be helpful in re-interviews of [redacted] are being enclosed with this letter to San Francisco. These serials are to be returned to the Chicago Office upon completion of interviews with [redacted]

b7D

For further information of the San Francisco Office, the subjects of this case were co-defendants in an anti-racke teering prosecution brought in United States District Court, Southern District of New York. They were charged with having extorted about one million dollars from various motion-picture producers. Subjects were convicted and sentenced to ten years imprisonment and fines of $10,000 each on December 31, 1943. Subjects were released on parole on August 13, 1947 after having served slightly over the minimum time on their sentences.

After the above described convictions, there were still pending mail fraud indictments against the subjects in United States District Court, SDNY, and one MAURY HUGHES, a Dallas, Texas attorney, was engaged by a mysterious "MIKE RYAN" to obtain dismissal of subjects' indictments so that the indictments would not be a block to paroles of the subjects. HUGHES alleged that "MIKE RYAN" paid him $15,000 for this legal service, of which $1,000 was paid by RYAN to HUGHES in Chicago in 1946, and the remaining $14,000 was paid in New York on May 6, 1947, at which time the mail fraud indictments were dismissed. The true identity of "MIKE RYAN" has not been established.

JRP:bjd
58-194

cc: 2 San Francisco (58-103) AMSD

enc: 4 to San Francisco

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RECORDED - 108
INDEXED - 108

58-2000-2081

DIRECTOR, FBI

RE: LOUIS CAMPAGNA, was, et al
BRIBERY; PAROLE MATTERS

Prior to paroles of subjects, Chicago attorney EUGENE BERNSTEIN settled federal income tax liens filed against subjects CAMPAGNA and DeLUCIA. The only information as to the source of the funds turned over to BERNSTEIN for settlement is that unidentified strangers came to BERNSTEIN's Chicago office and dropped bundles of cash on his desk, stating, "Pay this for Louis", and "Pay this for Paul." The identity of these strangers and the source of the money has not been established. Chicago serials enclosed to San Francisco set forth information concerning the settlement of this tax lien by attorney BERNSTEIN.

It is noted in [redacted] of SA POOLE, San Francisco, June 23, 1951, that [redacted] indicated that a person who produced a mysterious amount of cash referred to in publicity in this case, was [redacted] Tam O'Shanter Country Club, but that his real name was [redacted] grand jury in [redacted] and upon refusal to [redacted] were found guilty [redacted] Circuit Judge JULIUS MINER. [redacted]

b7D

b3

Chicago file 58-90, entitled "GEORGE S. MAY Company; RALPH R. FANNING; DON HARRIS--BRIBERY," Detroit origin (not related to captioned case), reflects that GEORGE S. MAY, apparently identical with the president of the Tam O'Shanter Country Club, was convicted of forgery on June 22, 1915 and was sentenced to a term of 1-14 years at the Illinois State Prison, Joliet, Illinois. He was 24 years of age at that time, and was paroled on May 24, 1916 and discharged on May 10, 1917.

The Bureau is requested to furnish San Francisco and Chicago with any available information including a criminal record

DIRECTOR, FBI

RE: LOUIS CAMPAGNA, was, et al
BRIBERY; PAROLE MATTERS

and description from the records of the Identification Division of JAMES P. RYAN, who has served time at Leavenworth Penitentiary as set forth in the rerep of SA POOLE, San Francisco, June 23, 1951.

For the assistance of the San Francisco Office in further interviews with [redacted] there are being forwarded herewith the following serials from Chicago file 58-194:

1. Report of SA WAYNE S. MURPHY, Chicago, October 3, 1947.
2. Report of ASAC CARL E. HENNRICH, WFO, October 4, 1947.
3. Report of SA WAYNE S. MURPHY, Chicago, October 21, 1947.
4. Report of SA WAYNE S. MURPHY, Chicago, October 23, 1947.

b7D

These serials are to be returned to the Chicago Office upon completion of interviews with [redacted]

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO MM FILE NO. 58-99

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
MIAMI, FLORIDA	7/12/51	7/6,7/51	CHARLES A. HARDISON CAH:ca

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, Was., ETAL	BRIBERY PAROLE MATTER

SYNOPSIS OF FACTS: Mrs. ORETTA CARROLL, Miami, Florida, ex-wife of MARTIN LEO ACCARDO, recalls that LOUIS CAMPAGNA and other subjects visited the Circle Club, Cicero, Illinois prior to their convictions in 1943. She does not recall having seen any of them there subsequent to 1946. She stated that CHARLES GIOE attended the funeral of FRANK ACCARDO at Chicago, Illinois in January, 1948, and that ANTHONY JOSEPH ACCARDO was very much concerned at the time because he feared CHARLES GIOE was violating the terms of his parole.

- RUC -

DETAILS: AT MIAMI, FLORIDA

Mrs. ORETTA CARROLL, ex-wife of MARTIN LEO ACCARDO, recently married DALLAS CARROLL, a former member of the Miami Police Department. She is currently residing with him at 7235 South West 39th Street, where she was interviewed in his presence at his insistence.

Mrs. CARROLL stated that her former husband, MARTIN LEO ACCARDO, had operated the Circle Club, 5534 West Cermac Road, Cicero, Illinois since about 1940 and is still operating it so far as she knows. She stated this establishment is a night club with a gambling room operating in conjunction therewith. She stated that she was personally acquainted with LOUIS

APPROVED AND FORWARDED: R. W. Wall SPECIAL AGENT IN CHARGE

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8-2000-2082

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JUL 16 1951

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CAMPAGNA, PAUL DeLUCIA, PHILIP D'ANDREA, CHARLES GIOE, alias "CHERRYNOSE", and JOHN ROSELLI. She recalled that the liquor license for the Circle Club had been taken out by MARTIN LEO ACCARDO in her maiden name, that is ORETTA YELVERTON.

She further stated that she had recently heard that MARTIN LEO ACCARDO has been submitting income tax returns to the Federal Government in her name, reflecting that she has been receiving profits from the Circle Club, which is not true. She denied that she had ever signed any such income tax returns or that she had authorized MARTIN ACCARDO to submit any returns for her.

Prior to the time that she moved to Miami in 1946, she was a frequent visitor at the Circle Club. She recalled that the above named subjects had been convicted in 1943 relative to their having swindled the motion picture industry out of a considerable amount of money.

She recalled that during the period from 1940 to 1943 all of the subjects had visited the Circle Club on occasions and had been seen there by her. She stated that the most frequent visitor was LOUIS CAMPAGNA, who spent a great deal of time in the gambling room. She recalled that PAUL DeLUCIA was in ill health during most of that period, but did visit the Club on a few occasions. She stated that after 1946, she did not see any of the subjects, including LOUIS CAMPAGNA at the Circle Club at any time.

She related that during the Christmas Holidays of 1947, FRANK ACCARDO, father of ANTHONY JOSEPH ACCARDO, and her ex-husband, MARTIN LEO ACCARDO, died at her home, 1217 Granada Boulevard, Coral Gables, Florida. During the early part of January, 1948, she and MARTIN ACCARDO and other members of the ACCARDO family, as well as numerous friends, attended the funeral of FRANK ACCARDO at Chicago, Illinois. The funeral arrangements at Miami were handled by Philbrick Undertakers and the burial services were handled by Rago Undertakers, Chicago, Illinois. She recalled that CHARLES GIOE appeared at the funeral services in Chicago, and that ANTHONY JOSEPH ACCARDO was very much perturbed and stated to members of the family that GIOE was crazy to have attended the funeral because it might result in having his parole revoked.

Mrs. CARROLL stated that aside from the above incident she had not seen or heard anything regarding any of the subjects of this matter which would indicate that they had violated the terms of the parole since their release in 1947. She could not recall having seen any of them since January, 1948, and advised that she had lost all contact with all of them, including the ACCARDOS, since her separation from MARTIN LEO ACCARDO in the latter part of 1949.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

MM 58-99

REFERENCE: Chicago teletype to Atlanta and Miami dated 6/22/51
Bureau letter to Miami dated 7/3/51

Office Memorandum • UNITED STATES GOVERNMENT

TO. : DIRECTOR, FBI

DATE: JUNE 30, 1951

FROM : SAC, CHICAGO

SUBJECT: LOUIS CAMPAGNA, was; etal
BRIBERY--PAROLE MATTER

Re letter from Miami to the Bureau dated June 23rd last, indicating that they are holding investigation requested by Chicago Office in abeyance pending instructions from the Atlanta Office, which, according to their letter, is office of origin.

EXPEDITE PROCESSING

For the information of the Miami Office, the Chicago Office is office of origin in this matter. In view of the importance of this case and the specific request made by the U. S. Attorney at Chicago, the Chicago Office feels that the requested investigation should not be held in abeyance and should be conducted immediately. The Miami Office is again requested to interview Mrs. ORETTA CARROLL without any further delay.

cc: Miami

JAR:MNW
58-194

RECORDED - 3 55-[illegible]-2083

JUL 5 1951

EX. - 52

SUP.

61 JUL 24 1951

Assistant Attorney General
J. Edgar Hoover
Director, FBI

July 27, 1961

Attention: Mr. Cottingham

[illegible], was, et al
IRMV
EXTOR, ETC

There is enclosed herewith a copy of a report entitled by Special Agent Charles A. Parkinson dated July 17, 1961 at Miami, Florida, incorporating the results of an interview with Mrs. Gretta Carroll, which was requested by the United States Attorney at Chicago.

Enclosure
58-2000
CAE:mec

EX-90

3/19/95 sps a/aw

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Mohr
Alden
Belmont
Laughlin
Mohr
Tele. Room
Nease
Sandy

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-62

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
ATLANTA	7/27/51	6/13,14,15; 7/24,25/51	GEORGE H. TREADWELL sk

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., et al.	BRIBERY PAROLE MATTERS

SYNOPSIS OF FACTS:

Rehearing in USDC NDGA, Atlanta. Departmental Attorney AARON E. GOTTSHALL and Special Assistant Attorney General TOM DEWOLF representing the government. Attorneys WILLIAM SCOTT STEWART, Chicago, Illinois and M. NEIL ANDREWS, Atlanta, Georgia representing CAMPAGNA and GIOE. Honorable E. MARVIN UNDERWOOD, USDJ presiding. Concluded 6/14. Court granted attorneys both sides until 8/15/51 to present briefs. Night 6/12/51 Attorney DEWOLF received long distance phone call from employee Chicago Tribune, Chicago, Illinois, advising one FRED STEVENS, Tucson, Arizona had telephonically contacted Chicago Tribune 6/12, alleging he was formerly a Director of the Gem Die and Mold Company aka Tote Brush Company, Chicago, Illinois, in 1947-1948, that TED R. STACY, then president said corporation, now deceased, had told him that GIOE withdrew $25,000.00 from funds said corporation. Upon request government attorneys Phoenix Division requested interview STEVENS and secure signed statement or letter setting forth his knowledge withdrawal said funds. Results interview of STEVENS by Phoenix Division set forth.

- P -

DETAILS: At ATLANTA, GEORGIA:

A rehearing of the entitled case was held June, 1951, in the U. S. District Court, Northern District of Georgia, Atlanta, Georgia, being concluded June 14, 1951. Honorable E. MARVIN UNDERWOOD, U. S. District Judge presided. The United States Government was represented by Departmental Attorney AARON E. GOTTSHALL and Special Assistant Attorney General TOM DEWOLF

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	John C. Bulls	1 + 2000 + 208 RECORDED - 28

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AUG 6 1951

☆ U. S. GOVERNMENT PRINTING OFFICE 16-80255-1

AT 6-62

and Mr. HARVEY H. TYSINGER, Assistant U. S. Attorney, Atlanta, Georgia. CAMPAGNA and CICE were represented by Attorneys WILLIAM SCOTT STEWART of Chicago, Illinois and M. NEIL ANDREWS of Atlanta, Georgia.

On conclusion of the rehearing, the court did not immediately render a decision, but granted attorneys for both sides until August 15, 1951 to present briefs to the Court for consideration. The Bureau and the Chicago Division were notified of this action by teletype.

On the night of June 12, 1951 Assistant Attorney General TOM DEWOLF informed reporting agent that he received a long distance telephone call from a Mr. HOLMES, City Desk, Chicago Tribune, Chicago, Illinois, advising that one W. ERNEST STEVENS, Rt. 7, Box 254, Tucson, Arizona, home telephone 25008, Tucson, business address Orson Scorist Realty Company, 3030 South Sixth Avenue, Tucson, business telephone 33641, Tucson.

Mr. DEWOLF stated that HOLMES related to him telephonically that STEVENS had telephoned the Chicago Tribune June 12, 1951 that he was formerly a Director of the Pen Die and Mold Company, aka Tote Brush Company, of Chicago, Illinois during the years 1947-1948, and that TED R. STACY, now deceased, was then President of said corporation.

HOLMES advised DEWOLF that STEVENS had related to him that in the spring of 1948 he, STEVENS, and President STACY had effectuated passage of corporate resolution, said resolution authorizing the Pen Die and Mold Company to permit withdrawal of $25,000.00 corporate funds by subject CICE, which sum represented CICE'S personal investment in said corporation.

On morning of June 13, 1951 Assistant U. S. Attorney H. H. TYSINGER, Atlanta, Georgia, called Mr. STEVENS at Tucson, Arizona by telephone for verification of the above information. During this conversation STEVENS advised TYSINGER that he, STEVENS, had no personal knowledge concerning corporate action re withdrawal funds as related above, but had been told of same by now deceased corporation President STACY.

Government attorneys DEWOLF and COTTSHALL requested that STEVENS be interviewed and requested to make a signed

58-62

statement setting forth his personal knowledge, if any, of withdrawal of the said $25,000.00 from the corporate funds of the Gem Die and Mold Company, that in the event Mr. STEVENS did not care to make such signed statement that he be requested to address a letter to the U. S. Attorney, Atlanta, Georgia, confirming his telephone conversation with Mr. TYSINGER and setting forth such personal knowledge as he may have regarding the facts related above.

The Phoenix Division was requested to conduct this interview with Mr. STEVENS at Tucson, Arizona. On June 14 the Special Agent in Charge, Tucson, informed the Atlanta Division by teletype that W. FRED STEVENS stated he did call the Chicago Tribune and talked with a Mr. MCELYPEENY on June 11 and 12, 1951, but did not talk with anyone named HOLMES. Mr. STEVENS stated he is not acquainted with HOLMES and claims that during the conversations with MCELYPEENY he never mentioned a resolution authorizing Gem Die and Mold Company to permit withdrawal of $25,000.00 from the corporate funds of the Gem Die and Mold Company by subject GICE. STEVENS also stated he is not acquainted with GICE but stated that during 1948 Mr. TED STACY, now deceased, had told him, STEVENS, that GICE had money in the company and had to have $25,000.00. Mr. STEVENS stated that this was the first knowledge he had of GICE or that GICE had money in the said company. STEVENS related that the $25,000.00 must have been turned over to GICE as requested by GICE because the company had planned a major advertising program which was stopped because $25,000.00 had been withdrawn from company funds.

When interviewed Mr. STEVENS furnished the name of PHIL MASI, former Secretary and Treasurer of the Gem Die and Mold Company and MOREY RAUBMAN, Attorney for said company, both of Chicago, as persons who would likely have more knowledge of the withdrawal of the said $25,000.00 from company funds than he, STEVENS. He also stated these persons may be able to advise the whereabouts of the corporate records of the transaction. STEVENS also suggested that Mrs. STACY, wife of deceased TED STACY, may also have some information concerning the questioned transaction.

Mr. STEVENS expressed his willingness to furnish signed statement setting forth facts as above related; however, before doing so, he wished to be advised more specifically of the data needed. STEVENS also expressed his willingness to testify in court to these facts if subpoenaed.

- P E N D I N G -

AT 58-62

LEADS

The CHICAGO DIVISION

At Chicago, Illinois:

Will interview PHIL LASI, former Secretary and Treasurer, Cen Lic and Mold Company, MONEY KAUFMAN, former Attorney for said corporation and Mrs. TED STACY, wife of deceased president of said corporation to obtain from these individuals all available information concerning their personal knowledge of the withdrawal of $25,000.00 corporate funds by DICE as alleged. These persons should also be questioned in an effort to locate the corporate records relating to said transaction.

The Chicago Division will consider the advisability of requesting the Phoenix Division to conduct additional interview with Mr. W. FRED STEVENS for the purpose of securing from him signed statement.

The PHOENIX DIVISION

At Phoenix, Arizona:

Two copies of this report are being designated for the Phoenix Division to be used in the event Chicago desires W. FRED STEVENS be re-interviewed.

The ATLANTA DIVISION

At Atlanta, Georgia:

Will follow and report decision of Judge E. MARVIN UNDERWOOD when same has been rendered by the court.

REFERENCE: Atlanta teletype to Phoenix dated June 13, 1951.
Phoenix teletype to Atlanta dated June 14, 1951.
Atlanta teletype to Bureau dated June 14, 1951.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: August 9, 1951

FROM : SAC, SAN FRANCISCO

SUBJECT: LOUIS CAMPAGNA, was., et al
BRIBERY; PAROLE MATTER
(Bufile 58-2000)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-21-95 BY Sercaw

Rerep SA WILLIAM P. POOLE dated June 23, 1951, at San Francisco.

b7D

[redacted] was re-interviewed by an agent of this office on August 7, 1951, at San Quentin Penitentiary. At that time [redacted] advised that [redacted]

[redacted] also advised that for the past two weeks he has been interviewed almost every day at San Quentin Penitentiary by the Federal Narcotics Officers, which would indicate to him that they are ready to file conspiracy charges for violation of the federal narcotics laws against numerous individuals in the United States, [redacted]

[redacted] advised that in [redacted] H. G. ROBINSON, Deputy Director of the California State Department of Justice. [redacted] information confidential, as he had promised, and he also advised that the federal narcotics agents

WPP:st
58-103

cc - Chicago(58-194)
Atlanta

RECORDED - 28
INDEXED - 28
58-2000-2085
AUG 20 1951
19

76 AUG 27 1951

X - 119

have not kept information that he gave to them confidential.

[redacted]

b7D

58-103

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 21 1951

TELETYPE

NA
7:30
Hum

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. Winterrowd
Tele. Room
Miss Holmes
Miss Gandy
Evans

WASHINGTON 7 FROM CHICAGO 21 5-12 PM -DEM-

DIRECTOR URGENT

LOUIS CAMPAGNA, WAS, ETAL. BRIBERY, PAROLE MATTER. REMYLET AUGUST SEVENTEEN LAST ENCLOSING SINGLE FINGERPRINT BELIEVED TO BE OF JAMES T. RYAN, CHICAGO. COOK COUNTY DEPUTY SHERIFF JOHN FLEMING LOCATED SET FINGERPRINTS TAKEN OF RYAN AUGUST ONE, NINETEEN FIFTY ONE, COOK COUNTY REGISTRY NUMBER ONE NAUGHT EIGHT SEVEN ONE ONE AND BELIEVE SET OF SUCH PRINTS SUBMITTED TO IDENTIFICATION DIVISION, BUREAU AT THAT TIME. NO RECORD OR REPLY FROM BUREAU LOCATED ON RYAN, WHO AT TIME OF OF ARREST BY SHERIFF-S OFFICE CLAIMED NO PREVIOUS ARRESTS. SINGLE PRINT SUBMITTED WITH RELET BELIEVED IDENTICAL WITH RIGHT INDEX FINGER OF RYAN-S ARREST CARD. CLASSIFICATION ONE OVER ONE, U OVER R, OII OVER IIO, FINAL THIRTEEN, MAJOR M OVER L, KEY NINETEEN. PHOTOSTATIC COPY INSTANT PRINTS BEING FORWARDED BUREAU TODAY TO ASSIST IN LOCATING ANY PREVIOUS RECORD OF RYAN.

G.I.R.-9

MC SWAIN

HOLD PLS

RECORDED - 61 158-2500-2086

61 SEP 10 1951 EX.-73

SEP 6 1951

AUG 27 1951
18

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/93 BY SP1 alm

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: August 21, 1951

FROM : SAC, Chicago

AIR MAIL

SUBJECT: LOUIS CAMPAGNA, was. ETAL
BRIBERY;
PAROLE MATTER
Bureau file 58-2000

Remytel 8/21/51 and mylet 8/17/51.

Cook County Deputy Sheriff JOHN F. FLEMING, Chicago, was contacted on August 21, 1951, concerning the arrest of one JAMES T. RYAN on or about August 1, 1950. FLEMING was able to locate a set of fingerprints on RYAN taken at the time of his arrest on August 1, 1950. FLEMING believes that a set of these prints, under Cook County Bureau of Identification Registry number 108711, may have been submitted to the FBI Identification Division since it is the usual practice for that agency to do so. No record of any reply from the Bureau concerning such a set of prints could be located.

The Arrest History Card on RYAN set forth the following physical description:

Name:	JAMES T. RYAN
Age:	38, born Chicago (date not shown)
Race:	White
Sex:	Male
Height:	6'
Weight:	195 lbs.
Hair:	Brown
Eyes:	Brown
Occupation:	Accountant
Education:	2 years of college
Marital status:	Single
Residence:	5209 West Congress Street, Chicago
FPC:	19 M 1 U OII 13 L 1 R IIO

EXPEDITE PROCESSING

ENCL 137

According to this History Card, RYAN claimed to have never been arrested before. A comparison was made between the single fingerprint submitted to the Bureau by relet dated August 17, 1951, and the set of fingerprints mentioned above, and it appears that this single print is identical with the right index finger on RYAN's fingerprint card.

Enc.
JRP/mlw
58-194
cc - San Francisco (58-103)

RECORDED - 137
INDEXED - 137

58-2000-2087

SEP 2 1951

EX. - 63

CG 58-194

A photostatic copy of instant card is being submitted to the Bureau herewith to assist the Identification Division in locating any prior record that JAMES T. RYAN might have.

As set forth in relet dated August 17, 1951, RYAN may be identical with one "JIMMIE RYAN" mentioned in the report of SA WILLIAM P. POOLE, San Francisco, dated June 23, 1951.

The Bureau is requested to kindly furnish Chicago and San Francisco with any information which would be helpful in determining if JAMES T. RYAN is identical with the "JIMMIE RYAN" who is alleged to have served time at Leavenworth Penitentiary for counterfeiting.

The photostatic copy of the fingerprint card enclosed herewith may be retained by the Bureau.

ED FORM NO. 84

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: August 17, 1951

FROM : SAC, CHICAGO

SUBJECT: LOUIS CAMPAGNA, Was. Et Al
BRIBERY
PAROLE MATTER
(Bufile 58-2000)

Remylet dated July 16, 1951 and Bulet to Chicago dated July 27, 1951.

A check was made of the records of the Clerk of Cook County Criminal Court, 26th Street and California Avenue, Chicago, concerning contempt of court proceedings against an individual identified in Chicago newspaper clippings as JAMES P. RYAN.

Docket Files A-270 and A-275 disclosed that the correct name of this individual is JAMES T. RYAN, residing at 5209 West Congress Street, Chicago.

EXPEDITE PROCESSING

[redacted] b7D

Illinois, required in a subpoena duces tecum served on [redacted]

On August 24, 1950, Judge JULIUS MINER entered an order adjudging RYAN guilty of contempt of court and sentencing him to an indefinite jail term or until he produced the desired records.

According to Cook County files, RYAN was released on $5,000.00 bond and is presently at liberty pending an appeal to the Illinois Supreme Court.

A search of the court files disclosed that RYAN was taken into custody on August 1, 1950 by Cook County Deputy Sheriff JOHN F. FLEMING on the basis of an "adjudgment for contempt" issued by the Clerk of the Court.

A single inked fingerprint impression appeared on the back of this arrest document but no information was shown as to the source. The court files contain no other descriptive data concerning RYAN.

ENCLOSURE ATTACHED

58-194
JRP:OH

RECORDED - 54 | 58-2000-2088
INDEXED - 54
AUG 20 19

cc: 2 San Francisco (58-103)

EX-21

Enc. 6 to Bureau

In the office of the Cook County Sheriff, a check of the arrest register disclosed that RYAN was released on bond on the date of his arrest and it was negative regarding description and background information of RYAN.

Deputy LOUIS WUCHTERL, Cook County Bureau of Identification, checked his records but could find no information of RYAN's arrest or that he was fingerprinted or photographed. WUCHTERL advised that any fingerprints taken at the Cook County Criminal Court are forwarded to the Chicago Police Department, Bureau of Identification where such would be on file.

Officer FRANK NICHOLSEN, Chicago Police Department, Bureau of Identification, 11th and State Streets, Chicago, could locate no fingerprints or arrest record of JAMES T. RYAN.

Miss ELEANOR FLORENCE, Personnel Clerk, Cook County Sheriff's Office, Chicago, advised that Deputy Sheriff JOHN F. FLEMING, 2375 North Neva Street, Chicago, telephone Merrimac 7-2749, has been on vacation and was due to return on August 13, 1951. However, it now appears that he will be away for another week or more. She advised that her office keeps no record of the whereabouts of employees on vacation. Attempts to contact FLEMING at his home were negative.

Through the cooperation of Mr. TED MARCANTELLI, Chief Deputy, Clerk of the Cook County Criminal Court, a photograph was made of the above-mentioned fingerprint on the arrest document for RYAN and two negatives and four prints thereof are being submitted to the Bureau herewith. MARCANTELLI requested that the source of this photograph be kept confidential since a court order is normally required to photograph or photostat documents in the court files.

Both MARCANTELLI and Deputy WUCHTERL stated that it is unusual for a deputy sheriff to place a fingerprint of an arrested person on the arrest document; however, they believe that the print in this instance is that of JAMES T. RYAN.

RUSSELL BOYD, Janitor, 5209 West Congress Street, Chicago, advised that JAMES T. RYAN, an employee of the Tam O'Shanter Country Club, resides at that address with a woman named CURRAN

who is reported to be RYAN's sister. BOYD furnished the following as a physical description of JAMES T. RYAN according to his best knowledge:

Age	About 45 years
Height	5'11" - 6'
Weight	About 200 lbs.
Build	Medium Heavy
Hair	Brown, fairly thick
Eyes	Not known, no glasses
Marital Status	Single.

The enclosed fingerprint and descriptive data are being submitted to assist the Identification Division in determining whether JAMES T. RYAN has any previous record, particularly of an incarceration at Leavenworth Penitentiary. JAMES T. RYAN may be identical with a JIMMIE RYAN referred to by one [redacted] as set out in the report of SA WILLIAM P. POOLE dated June 23, 1951 at San Francisco. b7D

Cook County Deputy Sheriff JOHN F. FLEMING will be contacted upon his return from vacation to obtain, if possible, more complete descriptive data on RYAN as well as to verify that the enclosed fingerprint is that of RYAN. The Bureau will be advised.

ENCLOSURES (6) TO BUREAU

LOUIS CAMPAGNA, Was. Et Al
BRIBERY
PAROLE MATTER
(Bufile 58-2000)

Two negatives and four prints of
single fingerprint impression
believed to be that of JAMES T. RYAN.

Chicago File 58-194

3/7/95 SPSaks

ENCLOSURE

-2088

Chqo - 58-194

Bufile 58-2000

803 426 A

Print believed to be
9 JAMES T. RYAN

58-2000-2088

Chqo 58-194

Bufile 58-2000

803 426 A

Print believed to
be James T Ryan

Chqo-58-194

Bufile-58-2000

803 426 A

Print believed to
be James T Ryan

Chq.-58-194

Bufile 58-2000

803 426 A

PRINT believed
to be
JAMES T. RYAN

STANDARD FORM NO. 64

Office Memorandum • UNITED GOVERNMENT

TO : Director, FBI

DATE: August 31, 1951

FROM : SAC, Atlanta

SUBJECT: LOUIS CAMPAGNA, was., et al
BRIBERY; PAROLE MATTER
(Bufile #58-2000)

Rerep SA GEORGE H. TREADWELL, ATLANTA, GEORGIA, July 28, 1951.

Referenced report sets forth that U. S. District Judge E. MARVIN UNDERWOOD granted attorneys for both sides until August 15, 1951, to file briefs to be used by the court in preparing a decision.

U. S. Attorney J. ELLIS MUNDY, Northern District of Georgia, has advised this office that Judge UNDERWOOD has granted a motion extending time for filing brief from August 5, 1951, to September 4, 1951.

The Bureau and the Chicago Division will be notified promptly when Judge UNDERWOOD has rendered a decision.

58-62
GHT:aej

cc: Chicago (58-194)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5 alw

RECORDED - 39 58-2000-2089

SEP 1 1951

EX-106

65 SEP 10 1951

SAC, San Francisco (5[illegible]-103) September 25, 1951

Director, FBI

LOU [illegible], was. 1-6 AM
[illegible]
[illegible]

3/2/95 SPSC/ca

Scarlet 9-10-51.

Information received from Harry Winkelbach since report SA William F. Poole dated 6-23-51 at San Francisco should be incorporated in a regular investigative report 3 copies of which should be forwarded to the Bureau in the immediate future.

5-[illegible] - 2090

53

cc: Chicago (5[illegible]-194)

RECORDED
Olson
Ladd
Clegg
Clavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Ho
Pe

EX-79

CAE:imc

26 SEP [illegible]

FBI
RECEIVED-MAIL ROOM
U.S. DEPT. OF JUSTICE

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: September 10, 1951

FROM : SAC, San Francisco

SUBJECT: LOUIS CAMPAGNA, was. Et Al
BRIBERY
PAROLE MATTER
(Bufile 58-2000)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5 a/aw

Remylet August 9, 1951.

Since the date of referenced letter, [redacted] has been removed from [redacted] and is now incarcerated at the [redacted] This information concerning his present place of incarceration is confidential. [redacted] Federal Grand Jury at [redacted]

b3
b7D

[redacted]

WPP/lcm
58-103

cc: Chicago (58-194)
Atlanta

RECORDED - 108 58-2000-2090
INDEXED - 108
SEP 15 1951

EX. - 27

Director, FBI
Re: LOUIS CAMPAGNA, was. Et Al

September 10, 1951

[redacted]

b7D

Director, FBI
Re: LOUIS CAMPAGNA, was. Et Al

September 10, 1951

[redacted]

b7D

It is being left to the discretion of the office of origin whether or not to request Kansas City Office to obtain the photographs of the various JAMES RYANS to forward to this office for identification purposes.

[redacted] indicated that he has no further knowledge concerning this matter.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (Bufile 58-2000) DATE: September 25, 1951

FROM : SAC, ATLANTA

SUBJECT: LOUIS CAMPAGNA, was.; ET AL
BRIBERY; PAROLE MATTER

Rerep of SA GEORGE H. TREADWELL dated July 27, 1951, at Atlanta, Georgia.

Assistant U. S. Attorney HARVEY H. TYSINGER, Northern District of Georgia, Atlanta, Georgia, advised this office that attorneys representing CAMPAGNA and GIOE as well as the U. S. Attorney have filed briefs for consideration of the Honorable E. MARVIN UNDERWOOD, U. S. District Judge, but that Judge UNDERWOOD still has the case under consideration and no decision has been rendered.

The Bureau and Chicago Division will be notified promptly when a decision is rendered.

GHT:iat
58-62

CC: Chicago (58-194)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP2 ew

RECORDED - 23 58-2000-2091

DEC 27 1951

60 OCT 4 1951

7335

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (58-2000) DATE: October 5, 1951

FROM : SAC, CHICAGO

SUBJECT: LOUIS CAMPAGNA, was. et al
BRIBERY
PAROLE MATTER

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/21/95 SP5A/CA

Relet San Francisco to Bureau and Chicago dated 9/10/51.
Bulet to San Francisco and Chicago dated 9/26/51.

Relet San Francisco to Bureau and Chicago dated September 10, 1951 sets forth information received from one [redacted] concerning the identity and activities of one JIMMIE RYAN, alleged to have been the unidentified individual who paid cash to Chicago attorney EUGENE BERNSTEIN in settlement of income tax liens against subjects CAMPAGNA and RICCA. [redacted] indicated that the easiest way to establish the further identity of JIMMIE RYAN would be to obtain the records and photographs of various JAMES or JIMMIE RYANs, who had served time in Leavenworth Penitentiary and he [redacted] would be able to point out the one alleged to be instant "payoff" man. [redacted] indicated that RYAN left Leavenworth Penitentiary prior to 1944 and his prison number was believed to have been in the 50 thousands [redacted] described this JIMMIE RYAN as being in his 40's, White, male, tall and slender, but weight and height unknown. b7D

For further information of Kansas City, [redacted] stated that [redacted] and slipping [redacted] this case.

Relet from the Bureau to San Francisco and Chicago dated September 26, 1951 requesting San Francisco to submit a report incorporating information furnished by [redacted]

UACB San Francisco is requested to kindly designate two copies of subject report for Kansas City with a lead to obtain descriptive data and photographs of various JAMES or JIMMIE RYANs so that San Francisco may determine from [redacted] which one is the alleged "payoff" man.

JRP:DK
58-194

SE-22

58-2000-2092

cc: KANSAS CITY 58-75 (2 copies)
SAN FRANCISCO 58-103 (AM)

OCT 8 1951

RECORDED - 119
EX-79

DIRECTOR, FBI

Re: LOUIS CAMPAGNA, was.
et al
BRIBERY
PAROLE MATTER

For the information of Kansas City,

[redacted]

b7D

SAC, Chicago (58-194) October 23, 1951

Director, FBI

51-2000 - 2093

LOUIS CAMPAGNA, was. et al
BRIBERY
PAROLE MATTER

RECORDED-61

EX-115

Reurlet 10-10-51.

James Ryan, Cook County, registry number 103711, also has been assigned FBI number 803426A. Two copies of the Identification record are enclosed.

The results of search of prints submitted by your office for James Ryan, #103711 were returned to you originally on 8-23-51.

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

Enclosure

JRM:imc

COMM-FBI
OCT 24 1951

76 OCT 29 1951

FBI

ice Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (58-2000) DATE: October 10, 1951

FROM : SAC, CHICAGO

SUBJECT: LOUIS CAMPAGNA, was. et al
BRIBERY
PAROLE MATTER

Relet Chicago to Bureau and San Francisco dated 8/21/51.
Relet San Francisco to Bureau and Chicago dated 9/10/51.

Relet San Francisco to Bureau and Chicago dated September 10, 1951 sets forth information on page 1, third paragraph, that JAMES T. RYAN, Cook County Registry number 108711, is apparently identical with JAMES T. RYAN, FBI number 803426A, but that this RYAN has never been incarcerated at Leavenworth Penitentiary. The Chicago office has received no information concerning the identification record of JAMES T. RYAN, Cook County Registry number 108711, as requested in relet from Chicago to the Bureau and San Francisco dated August 21, 1951 and the Bureau is requested to kindly furnish Chicago with a copy of information which was apparently furnished to San Francisco.

JRP:DK
58-194

RECORDED - 31 58-2000-2073

INDEXED - 31

EX-11

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO. 58-194

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	10/15/51	9/12,19,20;10/2,3/51	JOHN R. PHILIPS, JR. JRP:DK

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was. etal	BRIBERY PAROLE MATTER

SYNOPSIS OF FACTS: Corporate records Gem, Die and Mold Company and its successor, Totebrush Incorporated, Chicago, disclosed no record of stock ownership in the name of CHARLES GIOE, or known aliases. M. G. KAUFMAN, attorney, and director of Gem, Die and Totebrush, states GIOE may have been employed by companies, but status not known. Mrs. GLADYS STACEY, widow of deceased president of Gem, Die and Totebrush, claims no knowledge of stock ownership or interest in companies by GIOE. Hearing on parole revocation of PAUL DE LUCIA, United States District Court, Chicago continued to 12/7/51 by US District Judge MICHAEL L. IGOE.

C.I.R.-51
Mc Cormack
10-23-51
Continued

- P -

DETAILS:

Investigation as to possible investments by CHARLES GIOE in Gem, Die Mold Company and/or Totebrush Incorporated, Chicago, is based on information furnished to departmental attorneys at Atlanta, Georgia by one W. FRED STEVENS, Phoenix, Arizona, to the effect that he (STEVENS) heard from TED STACEY, deceased president of Gem, Die and Totebrush, that GIOE had invested $25,000 in one of these companies and had later withdrawn his funds. The Atlanta division requested Chicago to determine the facts of this allegation if possible.

APPROVED AND FORWARDED: M. J. O'Connor SPECIAL AGENT IN CHARGE

COPY IN FILE

DO NOT WRITE IN THESE SPACES

58-2000-2094 RECORDED - 51

EX. - 6

COPIES OF THIS REPORT
3 BUREAU (58-2000)
3 ATLANTA (1 USA ATLANTA)(58-62)
1 PHOENIX (Info)
6 CHICAGO (58-194)

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U. S. GOVERNMENT PRINTING OFFICE 16-59255-1

CG 58-194

AT CHICAGO, ILLINOIS

On September 12, 1951 Mr. M. G. KAUFMAN, 111 West Monroe, telephone State 2-2617, was contacted by the reporting agent. He advised that he has been attorney and director for Gem, Die and Mold Company, 2411 North Clybourn Avenue, Chicago, since its organization on August 1, 1946 and also of its successor, Totebrush Incorporated, which company came into existence on April 1, 1948. Mr. KAUFMAN advised that Gem, Die and Mold Company (corporation) succeeded a partnership consisting of TED STACEY, PHILIP J. MESI and MARTIN OSTRUM, who were engaged in the operation of a small tool and die shop and the sale of plastic novelties. KAUFMAN stated that he had not known any of these individuals prior to the organization of this corporation, but had been retained at the suggestion of another client of his, Mr. W. FRED STEVENS. He stated that after the company was incorporated, TED STACEY, who held the office of president, insisted on keeping the accounting records and also prepared the minutes of all official meetings. KAUFMAN continued that after STACEY's death over a year ago in October 1949, he (KAUFMAN) attempted to gather all the corporate records of that company and its successor, Totebrush Incorporated, but he found many instances of missing documents and records.

KAUFMAN stated that to his knowledge CHARLES GIOE was never connected in any official capacity with either Gem, Die and Mold Company or Totebrush Incorporated. He stated that he saw GIOE on about two occasions at the company offices and on those instances there appeared to be an atmosphere of "hush-hush" about him and KAUFMAN stated he did not ask any questions and was never informed about the possibility of GIOE's being employed at the company. He stated that he never knew exactly who CHARLES GIOE was until he read about him in newspaper articles.

KAUFMAN also advised that he received a long distance telephone call from a representative of the United States Department of Justice in Atlanta on June 13, 1951, concerning supposed ownership of stock in Gem, Die and Mold

Company or Totebrush Incorporated by GIOE and at that time KAUFMAN advised this departmental representative that he had no knowledge that GIOE had ever owned any interest in either of these companies. KAUFMAN stated that he has the stock records and minutes books of both Gem, Die and Mold Company and Totebrush Incorporated in his home and would locate them and make them available for examination at the earliest possible date.

On September 19, 1951 KAUFMAN made available for examination the records which he stated were all that he could locate. These records consisted of stock certificates, stock certificate stubs and a minute book. Examination of the stock certificates and stubs of Gem, Die and Mold Company reflected that no stock was ever issued in the name of CHARLES GIOE or any of his known aliases. The major part of the stocks was issued in the name of T. R. STACEY and PHILIP J. MESI in the amounts of 409 and 427 shares respectively. Relatively minor amounts were issued to other individuals as follows:

MARTIN OSTRUM
STEVE MESI
PAUL and OLGA ZVODA
SAM MESI
SOPHIE MESI
ANTHONY PETLACKI
JOHN ZLOTNICKI
W. FRED STEVENS
ROMAN NOWAKOWSKI
Modern Plating Company

Mr. KAUFMAN advised that the new corporation, Totebrush Incorporated, which was organized on April 1, 1948, took over all of the assets, liabilities and activities of Gem, Die and Mold Company and stock in the new corporation was issued in return for stock of Gem, Die and Mold Company share for share. He explained that the most profitable item of Gem, Die and Mold

Company was a patented tooth brush called the "Totebrush" and for that reason it was decided to form the new company to take over operation of Gem, Die and Mold Company. After the organization of the new company Gem, Die and Mold Company became an inactive corporation.

Examination of the stock certificates and stubs of Gem, Die and Mold Company indicate that stock certificate number 1, representing 250 shares in the name of TED R. STACEY, was never cancelled and KAUFMAN advised that this certificate has never been located. It is to be noted that 250 shares at the par value of $100 per share for this stock would represent $25,000, the amount alleged to have been invested by CHARLES GIOE. Mr. KAUFMAN observed that this missing certificate for 250 shares could have been endorsed and transferred to someone else without the absolute necessity of recording such a transfer in the corporate records. Notwithstanding the fact that certificate number 1 for 250 shares in Gem, Die and Mold Company was never turned in, the new company, Totebrush Incorporated issued 250 shares of its stock to STACEY, apparently for the shares represented by certificate number 1 in Gem, Die and Mold Company.

The stock records of Totebrush Incorporated were examined and again no record was noted of any stock having been issued in the name of GIOE or any known aliases. The major stockholders on the records of Totebrush Incorporated as of April 1, 1948 were TED STACEY and PHILIP J. MESI holding 334 and 256 shares respectively. Minor shareholders according to the records were as follows:

STEVE MESI
MARTIN OSTRUM
SAM MESI
SOPHIE MESI
JOHN ZLOTNICKI
W. FRED STEVENS
Consolidated Wire Company

CG 58-194

In January of 1951, after the death of STACEY, Consolidated Wire Company acquired additional stock and has become one of the principal stockholders with 320 shares. KAUFMAN advised that one PAUL MANN of Consolidated Wire Company is now president of Totebrush Incorporated.

KAUFMAN stated that he knows of no withdrawal of funds in the amount of $25,000 from either Gem, Die and Mold Company or Totebrush Incorporated since 1946.

Schedules of stock issued by both of these companies were made and will be retained in the files of the Chicago office.

Examination of the minute book produced by KAUFMAN, revealed no mention of any shares of stock to CHARLES GIOE or of his employment. There was also no mention of the withdrawal of any funds during the period covered by these minutes. The last entry in the minute book was dated January 14, 1948 and KAUFMAN stated that as far as he knows no minutes were recorded after that time. According to the minute book, Directors of Gem, Die and Mold Company were as follows:

TED R. STACEY
7652 North Kildare Street
Skokie, Illinois

PHILIP J. MESI
434 Aldine Street,
Chicago, Illinois
Telephone Eastgate 7-4837

M. G. KAUFMAN
111 West Monroe Street
Chicago, Illinois

W. FRED STEVENS
(no address shown)

JOHN ZLOTNICKI
(no address shown)

Accountants for Totebrush Incorporated was shown to be N.M. Hanock and Company, Certified Public Accountants, 111 West Washington Street, Chicago, Illinois, Telephone Franklin 2-0111.

AT SKOKIE, ILLINOIS

Mrs. GLADYS STACEY, 7652 North Kildare Street, telephone Skokie 2476, widow of TED R. STACEY, former president of Gem, Die and Mold Company and Totebrush Incorporated, was interviewed by SAA HOWARD A. CARLSON and the writer. She advised that prior to her husband's death in October 1949, she had absolutely no knowledge of his business activities, and he never confided in her in that respect. During early 1950 after STACEY's death, she worked as clerk and typist in the office of Totebrush Incorporated for a few months but learned very little about the company. She stated that she never heard from her husband or any other source that CHARLES GIOE had any connection with Gem, Die and Mold Company or Totebrush Incorporated. She stated that she recognized the name from newspaper publicity.

AT CHICAGO, ILLINOIS

On October 2, 1951 Assistant United States Attorney JOHN LULINSKY, Chicago, advised that a hearing was held on September 18, 1951 at Atlanta, Georgia, at which time United States District Judge MARVIN UNDERWOOD ruled in favor of subjects CAMPAGNA and GIOE thereby restoring those subjects to their parole status. Mr. LULINSKY stated that departmental attorneys are now considering an appeal from this decision.

In view of this decision of United States District Court, Atlanta, Georgia, no further investigation is being made of alleged stock ownership of GIOE pending further request of departmental attorneys handling this matter in Atlanta.

A check of the records of the clerk of United States District Court, Chicago, docket 50 C 1643, relating to a hearing on the revocation on the parole of PAUL DE LUCIA discloses that a hearing was held on October 2, 1951 before United States District Judge MICHAEL L. IGOE. DELUCIA was represented by attorney WILLIAM SCOTT STEWART, Chicago. On a motion by attorney STEWART the court granted him permission to file records from

the United States Court, Northern District of Georgia, Atlanta division, such records being copies of a motion, a first supplement to the motion and four volumes of transcript of testimony. By agreement this hearing was continued to December 7, 1951 for a hearing.

- PENDING -

CG 58-194

ADMINISTRATIVE PAGE

ADMINISTRATIVE DATA

One copy of this report is being designated for the Phoenix division for information in view of the investigation conducted there relative to this matter.

LEADS

THE CHICAGO DIVISION

At Chicago, Illinois

Will report further action in the present case against PAUL DE LUCIA, United States District Court, Chicago, docket 50 C 1643.

REFERENCES: Report of SA ROY W. MOHRMAN (A) dated 6/27/51 at Chicago.

Report of SA GEORGE H. TREADWELL dated 7/27/51 at Atlanta.

(1-10-49)

FEDERAL BUREAU OF INVESTIGATION

FORM No. 1
THIS CASE ORIGINATED AT Chicago

FILE NO.

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
San Francisco	OCT 17 1951	8/7;9/4,21/51	WILLIAM P. POOLE lmr

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., ET AL NK	BRIBERY; PAROLE MATTER

SYNOPSIS OF FACTS:

[redacted]

Country Club near Chicago. Also, he advises that [redacted]

- P -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/12/85 BY SP-2 [illegible]

DETAILS: AT FAIRFIELD, CALIF.

[redacted] was re-interviewed by reporting agent at the [redacted] where he is not incarcerated, having been moved from [redacted] to the County Jail.

Concerning instant case [redacted] advised that [redacted] he stated that when he saw the recent newspaper publicity [redacted]

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

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58-2100-2095

OCT 23 1951

RECORDED - 73
INDEXED - 73
EX-105

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53 NOV 6 1951

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[redacted] near Chicago, he assumed that this [redacted] was identical with [redacted] It was brought to his attention at this [redacted] according to the Identification Record of [redacted] as received from the Bureau, this individual had never been incarcerated in Leavenworth Penitentiary.

[redacted] advised that [redacted]

b7D

[redacted]

[redacted] also advised that [redacted]

[redacted]

[redacted]

[redacted]

[redacted] that this money was paid directly to agents of the Internal Revenue Bureau for the purpose of paying off the delinquent income taxes of CAMPAGNA and RICCA, which was necessary before they could obtain a parole.

[redacted] also stated that [redacted]

[redacted] b7D

In regard to the [redacted] advised that

[redacted]

[redacted] as follows:

Name	[redacted]
Sex	Male
Race	White
Age	In his 40's
Build	Tall and slender
Height & weight	Unknown

ENCLOSURE: TO KANSAS CITY - 1 copy of report of SA WILLIAM P. POOLE, 6/23/51, San Francisco

- PENDING -

BF File 58-103

ADM. PAGE

LEADS

KANSAS CITY DIVISION

AT LEAVENWORTH PENITENTIARY, MISSOURI

Will contact CARL F. ZARTER, Record Clerk, and obtain from him photographs and descriptions of individuals with the name [redacted] who have done time in Leavenworth. It is noted that the [redacted] of interest in this case served time in Leavenworth prior to 1944. According to [redacted] prison number is in the 50 thousands. Will forward these photographs to this office to be exhibited to [redacted] It should also be noted in this connection that [redacted] advised in a previous interview that the negative of [redacted] photograph would probably be found missing from the records at Leavenworth. In connection with this lead, [redacted] identity is not to be divulged to anyone at Leavenworth. b7D

SAN FRANCISCO DIVISION

AT FAIRFIELD, CALIF.

Will, when the above photographs are received from the Kansas City Office, exhibit them to [redacted]

REFERENCE

Report of SA WILLIAM P. POOLE, 6/23/51, San Francisco
San Francisco letter to Director, 8/9/51
San Francisco letter to Director, 9/10/51
Director letter to San Francisco, 9/26/51
Chicago letter to Director, 10/5/51

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO.

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
KANSAS CITY	11/20/51	11/13/51	WILLIAM M. HAWKINS fb

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., etal	BRIBERY; PAROLE MATTER

SYNOPSIS OF FACTS: Photos of 7 inmates named JIMMY RYAN obtained at USP, Leavenworth, Kansas.

- RUC -

DETAILS: At Leavenworth, Kansas

C. F. ZARTER, Record Clerk, United States Penitentiary, Leavenworth, furnished photos of seven inmates named JIMMY RYAN, or with alias JIMMY RYAN. Descriptions of these inmates are on the reverse of the photos.

Enclosure to San Francisco:

Photo of JAMES ROBERTS, No. 48867-L
Photo of JAMES RYAN, No. 52483-L
Photo of WILLIAM EMMETT McCORMICK, No. 43713-L
Photo of JAMES RYAN, No. 44847
Photo of JAMES CARMELL RYAN, No. 66090-L
Photo of ANDREW REED, No. 53669-L
Photo of JAMES RYAN, No. 61240-L

cc: Mail & Fdly Dirs, Def. 11-30-51

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APPROVED AND FORWARDED: L. V. Boardman SPECIAL AGENT IN CHARGE

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KC 58-75

ADMINISTRATIVE PAGE

REFERENCE: Report of SA WILLIAM P. POOLE, at San Francisco, dated 10/17/51.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 11-29-51

FROM : SAC, WFO (62-6540)

SUBJECT: LOUIS CAMPAGNE

That portion of the Kefauver Crime Committee file which contains folders on individuals in which the Committee was interested has a folder on the above individual wherein a memo appears in the file dated 10-13-50 by H. P. KILEY a Committee investigator which sets forth the following information:

About the time DELUCIA and CAMPAGNE were released from the Federal Penitentiary there was much talk about a mystery man named MIKE RYAN arranging the payoff. There was a note to check the newspaper, DOHERTY of the Tribune. Conversations heard at Sportsman Park on several occasions was that a man named "Little" NED BAKES, a fixer and big operator, actually made the payoff. Persons alleged to have knowledge are attorneys GEORGE CALLAHAN and MAURY HUGHES.

JAC:OK
cc - Chicago

EXCLUDED - 2 DEC 5

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO.

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	12/27/51	12/19/51	JOHN R. PHILIPS, JR. (A)baj

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., et al	PAROLE MATTER; BRIBERY

SYNOPSIS OF FACTS: Hearing on revocation of parole of PAUL DE LUCIA, U. S. District Court, Chicago, Docket 50-C-1643, continued to 1/11/52 by U. S. District Judge MICHAEL IGOE, Chicago.

- P -

DETAILS: AT CHICAGO, ILLINOIS

A check was made of the records of the Clerk of U. S. District Court, Chicago, under Docket 50-C-1643, relative to the hearing on the revocation of parole of PAUL DE LUCIA, previously scheduled for December 7, 1951. This docket disclosed that on November 13, 1951, by agreement, the hearing was reset for January 11, 1952, before U. S. District Judge MICHAEL IGOE, Chicago.

- P E N D I N G -

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CG 58-194

ADMINISTRATIVE PAGE

LEADS

THE CHICAGO DIVISION

At Chicago, Illinois

Will follow and report action on the hearing on revocation of parole of PAUL DE LUCIA, U. S. District Court, Chicago, Docket 50-C-1643.

REFERENCE

Report of SAA JOHN R. PHILIPS, JR. dated 10/15/51 at Chicago, Illinois.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (58-2000)

DATE: December 29, 1951

FROM : SAC, Atlanta (58-62)

SUBJECT: LOUIS CAMPAGNA, was. ET AL
BRIBERY; PAROLE MATTER

Enclosed herewith are copies of the decision of the Honorable E. MARVIN UNDERWOOD, U. S. District Court Judge, in instant matter. It is noted that LOUIS CAMPAGNA and CHARLES GIOE, petitioners, were to be discharged October 2 unless further supersedeas were granted.

G.I.R.-6

AUSA H. H. TYSINGER, Northern District of Georgia, Atlanta, Georgia, advised that the government on October 1, 1951, asked for an additional 45 or sixty days from September 18, 1951, to determine whether or not the respondent should take an appeal in instant matter to the U. S. Court of Appeals for the Fifth Circuit.

TYSINGER stated that the matter is currently being considered by the Department of Justice and stated that he would advise the Atlanta Office of any further developments in instant matter.

RES:bsh

Encl. - 2

cc-Chicago (58-194) (Encl.)

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include under "money received" the $100.00 which he stated he had taken from savings and did not consider income. These facts were known to the parole officer at the time the reports were approved by him and are unsubstantial evidence of violation of this condition of parole.

SUMMARY CONCLUSION

Respondent's chief reliance was on the insistence of the Board that it had absolute and unreviewable discretion to revoke the paroles and that substantial evidence of violation was not necessary to uphold its action. This contention is, in my opinion, not sound. I conclude such evidence is necessary and that the records show no substantial evidence of violations of parole by either of petitioners and that the orders revoking their paroles are arbitrary and total nullities, that the restraint thereunder is illegal, and that they should be discharged, not to complete liberty, but to conditional liberty in the custody of the Attorney General, under the supervision of the Parole Board as reinstated parolees.

Judgments to this effect will be entered accordingly.

This September 18th, 1951.

/s/ E. MARVIN UNDERWOOD
U.S. JUDGE

Filed in Clerk's Office
Sept. 18, 1951
F. L. Beers, Clerk

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

CHARLES GIOE,	:	
Petitioner	:	NO. 2330
vs.	:	HABEAS CORPUS
W. H. HIATT, WARDEN UNITED STATES PENITENTIARY ATLANTA, GEORGIA,	:	O R D E R
Respondent	:	

WHEREUPON, IT IS CONDIDRED, ORDERED AND ADJUDGED in accordance with the opinion filed herein, that petitioner CHARLES GIOE be and he hereby is discharged at the end of fifteen days from this date, unless further supersedeas be granted, such delay being allowed to afford opportunity for appeal if desired, not, however, to complete liberty, but to conditional liberty, as reinstated parolee, in the custody of the Attorney General under the supervision of the Board of Parole.

This 18th day of September, 1951.

/s/ E. MARVIN UNDERWOOD
U.S. JUDGE

Filed in Clerk's Office
Sep 18, 1951
F. L. Beers, Clerk

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

LOUIS COMPAGNA,	:	
Petitioner	:	NO. 2329
vs.	:	HABEAS CORPUS
W. H. HIATT, WARDEN UNITED STATES PENITENTIARY ATLANTA, GEORGIA,	:	
Respondent	:	ORDER

WHEREUPON, IT IS CONSIDERED, ORDERED AND ADJUDGED in accordance with the opinion filed herein, that petitioner LOUIS COMPAGNA be and he hereby is discharged at the end of fifteen days from this date, unless further supersedeas be granted, such delay being allowed to afford opportunity for appeal if desired, not, however, to complete liberty, but to conditional liberty, as reinstated parolee, in the custody of the Attorney General under the supervision of the Board of Parole.

This 18th day of September, 1951.

/s/ E. MARVIN UNDERWOOD
U.S. JUDGE

FILED IN CLERK'S OFFICE
SEP 18, 1951

F.L.Beers, Clerk

than that for which he had authority to work". There is no evidence to support this charge. The evidence indisputably shows that he never worked for or received any compensation from such corporation, the Gem Die & Mold Co. Any activities in connection with it were not the activities of that company but were activities on behalf of his employer. There was no change of employers and if there was any change of employment it was the result of complying with his employer's request to perform innocent duties which the Board has found to be in addition to those of his original employment. It is possible to so construe this condition of the parole, but it would be highly technical and one that a parolee would hardly envision. But whether this construction be valid or incorrect is unimportant since this condition of parole expressly provides for such change with permission of the Parole Officer, which in this case was given. It was Gioe's request for permission to enter upon managerial duties with the Gem Die Co., which he never did, that was withheld for the Board's approval. The Board could have overruled the permission to assume additional duties granted by the parole officer, but it did not and, if it had, it could not predicate parole violation upon past acts done with approval of the parole officer, but only upon conduct after the Board's action. Furthermore, there is in item eleven no prohibition against assuming additional duties at the request of the employer.

The next charge of violation is "associating with persons of bad reputation". The only persons alleged as answering this description, other than the unidentified airplane passengers, with who Gioe is accused of associating are Philip Mesei and Sam Mesei. The evidence is that he had not seen them during his parole and had had no dealings or association with them whatsoever in connection with the Gem Die Co. or any other matter. There was no evidence to contradict this. This charge fails because of total absence of evidence.

The next charge alleges failure to conduct himself honorably. The evidence offered as to the other alleged violations is tendered as the sole proof of this. Since the others have failed of proof, so does this one because entirely dependent for support upon the establishment of the other alleged violations.

The last violation alleged is failure to give a proper accounting of income and expenditures. Only reference to the findings of fact is necessary to show that the only criticism of the reports was the inclusion in "expenditures" of $175.00 rent paid by his wife and failure to

test the sufficiency of information of parole violation to justify the Board's warrant", not the sufficiency of the evidence to justify the order of revocation, and does not question the Court's power to inquire into the legality of the restraint under such orders and to determine whether they are total nullities because unsupported by substantial evidence. On the contrary the Court of Appeals has directed this Court to afford opportunity to petitioners "to present, if they can, a case of total nullity of the orders revoking their paroles", which involves of necessity consideration of the factual basis of such orders.

It remains only to apply these conclusions of law to the facts as found.

As to the case of Compagna, the charges of three violations of parole resolve themselves into the single question of fact whether he knew the two unidentified airplane passengers and the source of the money used to pay his Federal Tax. If he was ignorant of these things, he of course could not disclose them and his failure to do so could not support the charge of dishonorable conduct. There is, then, left for determination the single question of whether there was any substantial evidence, or indeed any evidence at all, to show knowledge of Compagna of the vital facts. There is no direct evidence (R. p 98) of such knowledge, which Compagna denies, but only inferences and conclusions drawn solely from what, according to Dr. Killinger's testimony, the Board "felt", "assumed", or "believed" and "that is all". (R. p 39, 40). With respect to the source of tax money, Dr. Killinger testified "I can't say that I know the exact identity of the individual or that Louis (Compagna) knows the individual". (R. p 94).

Suspicion, belief, assumption and conclusions alone are not evidence and are not sufficient to justify the revocation of parole. I conclude, therefore, that the order of revocation of Compagna's parole was arbitrary and a total nullity, because unsupported by substantial evidence, or any evidence, of parole violations and that he should be discharged as a reinstated parolee.

Passing to Gioe's case, what has been said in Compagna's case with reference to the alleged violation of parole rising out of the airplane incident is equally applicable here. There is no evidence to justify the revocation of parole on this charge.

The board also found that Gioe had violated item eleven of his parole "in that he became engaged in the activities of a corporation other

safety may require it", (Art. 11 sec ix 2), and the statute granting to the Federal Courts "power to grant writs of habeas corpus for the purpose of an inquiry into the cause of restraint of liberty" (28 U.S.C.A. 452) and "to dispose of the party as law and justice require" (28 U.S.C.A. 461), are inapplicable or that the Court of Appeals intended to hold them inapplicable in cases where orders revoking paroles are claimed to be void.

Here it is claimed the restraint is illegal because the orders of revocation under which the parolees are held are void for want of substantial evidence to justify them. If the orders are void the restraint is illegal and parolees should be discharged from prison walls but not to complete liberty but to restricted liberty in the constructive custody of the Attorney General under the supervision of the Parole Board and subject to its power to modify or revoke the paroles in the exercise of a legal discretion.

The Board has wide discretion, but it is a legal discretion, and orders of revocation of paroles without substantial evidence to justify them would not be the exercise but the abuse of discretion. Such orders would be arbitrary and total nullities.

The difference between granting a parole and the revocation of parole must be borne in mind. The former is a matter of grace and the discretion of the Board almost unlimited, although the subject is still "entitled to fair treatment, and is not to be made the victim of whim or caprice", (Burns vs. U.S.,287 U.S. 216,223), while the latter involves the legal right of the parolee to supervised liberty as long as he complies with the terms of his parole. Where he has been deprived wrongfully of such liberty and returned to prison he is entitled in a habeas corpus to have the restraint inquired into.

It is inconceivable that Congress intended to confer upon the Board the arbitrary power to call back, without substantial evidence of parole violation, these parolees to a further imprisonment of approximately seven years no matter how blameless their conduct may have been while on parole. (Hollandsworth vs. U.S. 34 F. 2d 423,428).

The parole system, which marks a great and wise advance in penology, will lose public confidence and effectiveness unless it is administered with independence, courage, fairness and justice. The courts as well as the Board should be alert to safeguard against arbitrary action.

The majority opinion holds that habeas corpus will not lie "to

Exhibit No. 20), which was offered as typical, shows that it was dated December 5th, 1947, and that it only called for "expenditures" and under the heading "money received", for "earnings from employment" and "other income(specify)". His reports were prepared with the aid of his parole officer and approved by him. After the congressional investigation at the request of and with the assistance of the parole officer some reports, previously submitted, were more fully filled in and again approved.

COMPAGNA AND GIOE

Members of the Borad as late as a few weeks before the revocations of parole, with knowledge of the testimony of parolees before the Congressional Committee relating to the same matters now charged as violations, themselves stated to the Committee that parolees were good risks and that up to that time they knew of no facts which would justify revocations of their paroles. There is no evidence of any new or additional facts coming to their attention from the date of their testimony to the date of the revocations. The parole officers were also reporting up to a late date that the parolees were cooperative and adjusting well; that they had received no complaints and, although then advised of conduct now complained of, made no reports of parole violation.

CONCLUSIOSN OF LAW

The majority decision of the Court of Appeals is now the law of cases and will of course be meticulously followed. It remains only to construe the opinion as a whole and apply it to the facts as above found.

I take it as settled by the opinion that the parole violator warrants which this Court held to be void, have become unimportant even if the warrants "were irregular" since "they served to bring the parolees before the Board" and that this feature is no longer in the case. It is also settled, as far as these cases are concerned, that the Administrative Procedure Act has no application to the Board and that the "appearances" afforded parolees were sufficient compliance with the law. The Court of Appeals also held that "the Court had no part in the Board's deliberations about the paroles", but this ruling places no restriction upon this Court to exercise its well recognized power after the termination of the Board's deliberations and the exhaustion of the administrative authority. I do not understand that the constitutional provision declaring that "the privilege of writ of habeas corpus shall not be suspended, unless where in cases or rebellion or invasion the public

Commission three times weekly. In his relationship with the office, subject has maintained a very cooperative attitude. He has contacted the office relative to even minor detail and has hesitated, as far as we can determine, to make a move without first consulting the office". Gioe did not leave or intend to leave Mann's employment, but only with permission first had, to take on some managerial work with Gem Die Co. in addition to his employment with Mann. (R. p 169). Permission to assume managerial duties with Gem Die Co. was not given and he never became an employee or financially interested in the company. There was no change of employment without permission of his parole officer.

The next charge of violation is item three, "association with persons of bad reputation". The only improper association claimed is the alleged association with the two unidentified passangers on the airplane trip and with Phillip and Sam Mesei in connection with the Gem Die Co. transactions. (R. p 362). As to the airplane passengers, the evidence does not show who they were or whether their reputations were good or bad or that petitioners knew them or had ever associated with them. As to Philip and Sam Mesei, the evidence shows that, although Gioe had known them for many years, he had not seen, or associated, or dealt with them during his parole.

The charge in item four is failure to conduct himself honorably. There was no evidence in support of this item other than the evidence submitted as proof of the other items charged, which was relied upon entirely to prove item four (R. 980) but which does not sustain the charge.

The last charge, item five, is failure to give a proper accounting of income and expenditures. The evidence on this item is exceedingly meager and consists of a single report dated 5th of December, 1947 and a few questions about it. This report showed income of $300 per month from salary, which was correct, and expenditures of $575.00. The difference of $275.00 was explained by Gioe to his parole officer as having been made up of $175.00 rent paid by his wife, as she had done for years, and of $100.00 taken from past savings which he did not consider income and which he kept in a safety deposit box where he and his wife kept a reserve. This $100.00 was included in expenditures but not as income because he did not think it was income but capital accrued from past savings. (R. p 366-8). An examination of the reports (Respondent's

from its president Mr.Ted Stacey. He did nothing for the Gem Die Company and received no compensation from it, but was acting exclusively for Mann. (R p 164). Gioe kept his parole officers informed as to what he was doing and they approved (R. p 304) and gave permission for such activities on behalf of Mann. (R. p 168). Gioe's dealings were exclusively with Stacey, a reputable business man with no criminal record (R. p 340, 369). Philip Mesei was secretary and treasurer of the company but Gioe never saw or had any dealings with him. His brother Sam Meisei was a stockholder in the company, but was inactive and Gioe never saw him either. The two Mesei brothers had, when young, each been convicted of crime fifteen or twenty years before and had some latter arrests, which were dismissed without prosecution. These were the only persons connected with the company whose suspected association with Gioe was questioned. (R p 362), but the evidence showed that he had no dealings with them whatsoever and had not even seen them for many years.

Later Mann and Gioe decided that Gioe should himself invest in the company and take over some managerial duties. Before doing so, however, they applied to the parole officers for permission. (R. p 341-2). While waiting for permission, he furnished the officers with full information. There was no question as to Gioe's acts as Mann's employee (R. p 167-170), but only as to whether permission should be granted for him to become active in the management of the Gem Die Company's affairs. There were no complaints or criticisms from the parole officers or from any other source about what he was doing (R. p 173), but on the other hand the officers, with full knowledge of the facts, granted permission to Gioe to act for Mann in his dealings with the company. (R. p 304). None of the parole officers was called as a witness nor their testimony taken, but their official letters and reports show clearly that they had no complaint to make but on the other hand found that Gioe was meticulous in complying with the conditions of his parole. In his letter to parole executive Urich, dated March 8th, 1948, Chief Probation Officer Fisher said of Gioe: "up to the present time we have had no complaints either from Chicago Police Department, the Chicago Crime Commission or any law enforcing officers relative to this subject. Mr. Hladis has an opportunity to contact personally a representative of the Chicago Crime

which he testified he did not know, and the conclusions that such failure constituted dishonorable conduct. There is no substantial evidence, if any evidence at all, to establish the alleged violations.

GIOE CASE

Among the five violations of parole charged to Gioe is item two which alleges failure to disclose associates on the airplane flight from Kansas City to Chicago. The charge and evidence to support it were the same as respects item three in the Compagna case which has already been considered. By reference to the findings in the Compagna case are made the findings here. There is no evidence to support this charge.

Item one charges "change of employment without permission". This was alleged to be in violation of condition number eleven written on the back of the certificate of parole. The language of the condition is "I agree to live and work at the place stated in my parole plan and will not change until after I have permission to do so from the parole officer". Note that the permission is to be that of the parole officer and that there is no prohibition against the assumption of additional duties for his employer. Under the parole plan which was approved, Mr. Paul Mann, who was President of Consolidated Wire and Associated Companies, a reputable business man and an unimpeached witness in this case, employed Gioe "As a salesman to assist with any new products that we were at the time intending to market, and general work in conjunction with sales that would be assigned to him".

Under this employment Gioe, with permission of his parole officers (R. p 168 et seq.) visited the five different plants of Consolidated Co., and any new venture which might come to Mann's attention to see if any new propositions were sufficiently attractive to bring to his attention. The latter part of 1947, Gioe brought to Mann's attention the Gem Die and Mold Co., later Tote Brush Co., a reputable and legitimate business. Mann asked him to investigate the prospects of the company with a view to purchase of stock. Dunn and Bradstreet reports were obtained and Gioe procured from the Gem Die Company statements made by its auditors and some of its inventories which he checked and studied. He recommended the purchase of stock by Mann who bought to the extent of about $22,000. Gioe, as Mann's employee, went to the company's office from time to time to check auditor's statements, inventories and sales and to get other information

he did not undertake to search them out after release from prison because he feared he might get them into trouble and also endanger his parole status by charges of improper association. The money was brought in and received in unusual circumstances. Eight or nine individuals over a period of about thirty days brought in varying amounts in cash and gave them to Bernstein or his secretary. Neither names or identification were requested or furnished and receipts where given stated the amounts but not the names of the depositors. (R p 397). The money was deposited in bank and the Government paid with Bernstein's checks. It is not claimed that he violated his parole by acquiescing in the payment of the tax in the manner described. The payment was made approximately a year before he was released on parole. But the charge is failure to reveal the source of the money. Dr. Killenger testified that he did not believe that Compagna knew the individuals who furnished the money but that he "believed" he knew "the group) or the composite". (R p 94).

Compagna could not disclose the sources of the money if he did not know them and he denied knowing them. There was no evidence of such fact other than the above circumstances and the suspicions and assumptions of the Board. (R pp 40, 94, 97, 98).

The alleged violation set out in item two is failure to conduct himself honorably. The proof submitted to support this claim is the same as presented in support of the other two charges of violation of parole, items one and three. In the words of Dr. Killinger "his failure to reveal the identity of those two individuals (item three - airplane trip) and also his failure to disclose the source of the money (item one - tax settlement) we concluded that he did not conduct himself honorably by his action in regard to these two items." "Those are the only two instances, your Honor, on which we are setting forth the specific charges". (R pp 41, 46).

The facts and circumstances referred to in the consideration of items one and three, therefore, need no further mention since the establishment of violation, item two, depends entirely on proof of violation of items one and three, or one of them; which has not been established.

It will be seen that, as to the case against Compagna, the entire complaint rests on the charge of failure to reveal two facts, identity of the airplane passengers and the sources of the money to pay tax,

went to Leavenworth on August 12th to meet Compagna and present certain parole papers at the request of Mrs. Compagna who was ill. The automobile was furnished by Gizzo, a friend of petitioners living in Kansas City who had furnished such transportation on other occasions when Bernstein had visited the Penitentiary to consult with his clients about income tax matters. Before seeing the Warden at the Penitentiary Bernstein had purchased, at the hotel where he was stopping, two airplane tickets dated August 12th, from Kansas City to Chicago for himself and Compagna. When he later saw the Warden he was informed that Gioe and deLucia would be released at the same time. He thereupon tried to secure two additional airplane tickets for the same flight, but was told there were none available. Gizzo said that a friend, who was present, might get tickets for him for that or some other flight and suggested that Bernstein give him the two tickets and he would get two additional or four new ones. The suggestion was adopted and the next morning Bernstein received four new tickets dated August 13th. All the tickets were in Bernstein's name but bore different dates. The two original tickets were evidently sold to other parties without change of name since the flight records show they were used, but they were unknown to Bernstein and petitioners, who had never seen them before, and who had, during the flight of a little over two hours, had no association or conversation with them. (R pp 105, 273). There is not a scintilla of evidence as to the identity or reputation of the two unknown passengers although the Parole Board and the Federal Bureau of Investigation made dilligent effort to secure such information. (R pp 44, 112). Nor is there any evidence that petitioners had any acquaintance, connection or association with them.

Passing now to consideration of the other two allegations of parole violations charged to Compagna in items one and two, the facts are as follows:

In item one he is charged with failure to disclose the source of monies used in settlement of his tax case. This settlement was made by his attorney in 1946 while Compagna was in the penitentiary and all his property under tax lien. (R p 101). The money used to pay the claim was brought, by others than Compagna, to attorney Bernstein, who received the money and paid the Government. Mr. and Mrs. Compagna and Bernstein all testified that they did not know who the individuals were who furnished the money and made no inquiry. Compagna said he did not know but assumed that they were friends and might have been gamblers and that

on July 23, 1948, under parole violator warrants issued July 21st, 1948, by Judge Rogers, a member of the Parole Board. The warrants stated that they were based on "reliable information" of parole violations but gave no information of specific acts. Referrals were issued at the same time, but petitioners had no notice of them or their contents until copies were handed to their counsel on September 2nd, 1948, the date on which these petitions were filed.

COMPAGNA CASE

These referrals charged three violations to Compagna and five to Gioe. They were as follows:

As to Compagna: 1. Failure to reveal sourde of monies used in settlement of Internal Revenue tax, when questionsed before a legally constituted body. 2, Failure to conduct himself honrably. 3 , Failure to truthfully disclose associates on flight from Kansas City to Chicago following release from Leavenworth.

The violations charged to Gioe are: 1, Change of employment without permission. 2, Failure to truthfully disclose associates on flight from Kansas City to Chicago following release from leavenworth. 3, Association with persons of bad reputation. 4, Failure to conduct himself honorably. 5, Failure to give a proper accounting of income and expenditures.

The above items are the only complaints of violations and the Board's action in revoking the paroles is based on these alone. (R p. 130).

It will be observed that the violation charged to Compagna in item 3 is the same transaction charged to Gioe in item 2, and they may be considered together.

Petitioners and a co-defendant, deLucia, were discharged together from Leavenworth Penitentiary August 13th, 1947. They went by bus from the penitentiary to Leavenworth where they were met at the bus station by Mr. Eugene Bernstein, who was Compagna's attorney. The four were driven by a chauffeur to Kansas City Air Port, where they took a plane to Chicago. Upon arrival in Chicago, Gioe was met by his wife but no one met Compagna and deLucia, who lived near each other. They went to their respective homes in a taxi.

Upon leaving the Penitentiary the parolees were given railroad transportation, but were told by the warden that they could travel by plane at their own expense if they desired. Having traveled by plane they promptly returned the railroad tickets to the warden. Bernstein

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

LOUIS COMPAGNA and CHARLES GIOE,	:	
Petitioners	:	NOS. 2329-30
vs.	:	HABEAS CORPUS
W. H. HIATT, WARDEN UNITED STATES PENITENTIARY ATLANTA, GEORGIA	:	
Respondent	:	

The first trial of these habeas corpus cases, which were tried together, resulted in judgments discharging petitioners. Thereafter Respondent presented certificates of revocation of the paroles issued by the Parole Board and filed motions for reconsideration of the judgments. Rule to show cause issued and hearing had. At the hearing and upon inquiry by the court, Respondent and petitioners stated that they did not desire to present any additional evidence. Thereupon the motions were denied as nothing was to be gained by further hearing without additional evidence. The judgments of this court (82 Fed.Sup. 295) were reversed by the Court of Appeals (178 Fed. 2d 42). Judge Waller dissenting. The Supreme Court affired the judgments of the Court of Appeals "by an equally divided court". (340 U.S. 880).

FINDINGS OF FACT

The Parole Board has made it clear that the only claims of parole violations are as set out in the referrals: that there were no other complaints; that its action in revoking the paroles was based entirely and solely on conduct of parties subsequent to their release on parole, and that all the evidence they considered is now before the court and contained in the record (R 114, 137).

Petitioners were indicted and tried together in the United States District Court for the Southern District of New York for violation of the Anti-Racketeering Act. They were convicted and sentenced on December 31, 1943, to terms of ten years in the penitentiary. Because of their good conduct, they were released on parole August 13th, 1947, but after unfavorable newspaper publicity and investigations by Congressional Committees and grand juries they were retaken into cust

E-244-2099

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (58-2000)

DATE: January 14, 1952

FROM : SAC, CHICAGO (58-194)

SUBJECT: LOUIS CAMPAGNA, Was., ETAL
BRIBERY; PAROLE MATTER

Relet Washington Field to Bureau and Chicago 11/29/51.

Relet set forth information from the file of the Kefauver Committee relative to captioned matter. A copy of relet is being enclosed for Atlanta for information.

A review of Chicago files disclosed that JAMES DOHERTY, reporter for the "Chicago Tribune", furnished information in June, 1948 to U. S. Attorney OTTO KERNER, JR., Chicago, concerning NED BAKES, mentioned in relet. Based on a letter of request from Mr. KERNER, Chicago and other offices conducted investigation of alleged activities of BAKES, MAURY HUGHES and others. Results of these investigations were submitted by reports, including the following:

1) Reports of SA ROBERT E. RIGHTMYER, Chicago, 6/18/48; 6/25/48 and 7/6/48.
2) Report of SA IRA J. KELLOG, Los Angeles, 6/18/48.
3) Report of ASAC B. TOM CARTER, Dallas, 6/26/48.
4) Report of SA LOYDE E. KINGMAN, Dallas, 7/7/48.

In view of investigation previously conducted and reported on the subject of information in relet, UACB no action will be taken by the Chicago Office and copies of this letter and relet are being furnished Atlanta in view of pending court action there.

2cc: Washington Field (62-6540)(58-261)
2cc: Atlanta (58-62)(enc.)

JRP:cms

58-2000-2100

RECORDED - 46
INDEXED - 135

JAN 16 1952

76 JAN 29 1952

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (58-2000)

FROM : SAC, San Francisco (58-103)

DATE: 1/28/52

SUBJECT: LOUISE CAMPAGNA, was., et al
BRIBERY; PAROLE MATTER

Rerep SA WILLIAM H. HAWKINS' 11/20/51 at Kansas City and letter from Chicago to San Francisco, 1/14/52.

[redacted] b3

[redacted] 3/5/55 mpsala

RECORDED - 135 58-12000-2101

FEB 1 1952

EX-125

WPP:acc

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Harbo

DATE: February 8, 1952

FROM : D. J. Parsons

SUBJECT: SPECIAL CRIMINAL GRAND JURIES

SAC O'Connor, Chicago, advised that in connection with the special grand jury called by the United States Attorney in accordance with the Attorney General's instructions the United States Attorney had informed that he intends to call Charles James Gioe. He was one of the hoodlums who was pardoned several years ago and then re-arrested. The United States Attorney has a birth record which shows Gioe's birth as 1904 in Chicago. He has information indicating that he was born in 1907 in Italy, and it is suspected that the birth record may have been tampered with approximately twenty years ago more than twenty years after the record was supposed to have been made. O'Connor was inquiring as to whether the Laboratory would conduct this examination for the United States Attorney in view of the instructions that the field was to clear with the Seat of Government any request from the United States Attorneys in connection with these special hearings.

I told SAC O'Connor that he may accept the material and that we would make an examination at the request of the United States Attorney. I told O'Connor it would be necessary for the United States Attorney to authorize cutting small pieces from the document in order to make the necessary chemical tests.

Unless otherwise advised, we will handle this examination as we would any request from the United States Attorney's Office.

DJP:VH

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/55 BY SP5 alw

58-2000-2101X

95-#3965-2

RECORDED - 6

INDEXED - 6

FEB 19 1952

EX-140

FEB 29 1952

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI
ATTENTION: INSPECTOR DON PARSONS

DATE: February 11, 1952

FROM : SAC, Chicago (CHARLES GIOE)

SUBJECT: Charles Gioe
Alteration of Birth Record
Chicago, Ill.

DA 144309

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/55 BY SP5 CAC

Re my phone call to Inspector Don Parsons of the Laboratory, at which time it was explained that United States Attorney Otto Kerner, Jr., through his Assistant, Lawrence Miller, requested an examination of a recording of the birth of Charles James Gioe in the records of the City of Chicago to determine whether it was made contemporary with other entries which preceded it in said records. Mr. Kerner [redacted] b3 before a Federal Grand Jury in Chicago which Mr. Kerner is utilizing for the purpose of investigating general crime conditions in this area.

Accordingly, there is forwarded herewith Book 25, Register of Births A to K, 1904, January - June, of the Department of Health, Chicago, Illinois. It is specifically requested that the entry therein on Page 179, Line 6, which is as follows, "GIOE CHARLES, Male, White, Born February 29 at 191 Morgan Street - Mother's name GIOE, ROSE", be compared with the entries on lines 1 through 5 inclusive, to determine through appropriate examination whether the entry on line 6 was made at approximately the same time as those preceding it.

It is the belief of the United States Attorney, as a result of information furnished by the Immigration and Naturalization Service that this entry on line 6 may have been made at a subsequent date in view of the fact that a birth record was located in Marineo, Italy, indicating that Charles Gioe was born there on March 9, 1907. It was further learned that he entered the United States on February 20, 1908 as an alien immigrant with his parents, Rose and Onofrio Gioe.

It is further the opinion of the United States Attorney and the Immigration and Naturalization Service that the entry on line 6 may have been made approximately twenty years subsequent to February 29, 1904, since it would have been possible for Charles Gioe to have attained sufficient stature in the criminal world by that time to effect arrangements for the entry on line 6.

ENCLO. BEHIND FILE

3 ENCL.

Pursuant to Mr. Parsons' instructions, it was pointed out to Mr. Marcus T. Neelly, District Director, Immigration and Naturalization Service, who delivered the instant volume of the

5 HTP:MG 2-29-52
Encl. in lab

RECORDED 43765
58-2020-210 (X1)
FEB 13 1952

EX-50

REGISTERED MAIL
RETURN RECEIPT REQUESTED

DIRECTOR
2/11/52

Register of Births to this office from the United States Attorney's office, that it would be necessary to cut several small one-quarter inch square pieces from the record in order to make an appropriate examination, as requested. It was further explained that these pieces would later be replaced but would be stained as a result of the examination process. Mr. Neelly advised subsequently that this was brought to the attention of the Chicago authorities who agreed to make the record available, understanding the above. The laboratory report should be forwarded to Mr. Otto Kerner, Jr., United States Attorney, U. S. Court House, Chicago, Illinois.

Volume 25, Register of Births in the City of Chicago should be returned to this office following examination, in order that it may be delivered to Mr. Marcus T. Neelly of the Immigration and Naturalization Service.

REPORT of the FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON D. C.

February 20, 1952

To: Honorable Otto Kerner, Jr.
United States Attorney
U. S. Courthouse
Chicago, Illinois

There follows the report of the FBI Laboratory on the examination of evidence received from the Chicago Office of this Bureau on February 14, 1952.

Re: CHARLES CIOE
Suspected Alteration of Birth Record

J. Edgar Hoover
John Edgar Hoover, Director

YOUR FILE NO.
FBI FILE NO.
LAB. NO. D-144309 AX

Examination requested by: FBI, Chicago

Reference: Letter 2/11/52

Examination requested: Document

Specimens: Q1 Book 25, Register of Births A to K, 1904, January - June, of the Department of Health, Chicago, Illinois containing on page 179, line 6, this entry as follows "CIOE, CHARLES, Male, White, Born February 29 at 121 Morgan Street - Mother's name CIOE, MOCE."

RESULTS OF EXAMINATION:

An examination of the CHARLES CIOE entry on line six of page 179, revealed that this entry had been made by a person using a different ink and a different pen than that used for preceding and subsequent entries. Furthermore, there is evidence present that the person preparing the entry on line six attempted to copy the handwriting characteristics present in the other writing on the page which a person authorized to make entries in the register of births would have no occasion to do.

Age of ink tests including the so-called sulphate migration test were made in an effort to determine whether or not the entry on line six was made at approximately the same time as the preceding entries but nothing of significance was found.

The submitted evidence is being returned to the Chicago Office of this Bureau under separate cover by registered mail.

1 - FBI, Chicago

JCC:NP

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease

RECORDED 122

MAR 10

64 MAR 13 1952

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

Sat
2/16

RECORDED
2-15-52 njd

58-2000-2101X2

Re: CHARLES GIOE
Suspected Alteration of
Birth Record

File # ~~95-43765-3~~
Lab. # D-144309 AX

No Lab. File

Examination requested by: SAC, Chicago

Date of reference communication: Let. 2-11-52 Date received: 2-14-52

Examination requested: Doc.

Result of Examination:

2/19

Examination by: Cadigan

Redbd
2/14
Page 179 ~~to~~ Triplett
2/15

1. diff ink
2. diff pen
3. Evidences of simulations
4. Sulfate migration negative

Specimens submitted for examination

Q1 Book 25, Register of Births A to K, 1904, January - June, of the Department of Health, Chicago, Illinois containing on page 179, line 6, this entry as follows "GIOE, CHARLES, Male, White, Born February 29 at 191 Morgan Street - Mother's name GIOE, ROSE."

Return Evidence

Stubbs Approved
↑ & future
styles

Entry line 6 beg. Gioe Charles etc different pen &
diff ink than entries same, preceding &
following pages. Evidences of simulation which would
not be present in hw of person authorized to
make entries in book.

Lab. file
2101X2
GCC:mp

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

RECORDED
2-15-52 njd

Re: CHARLES GIOE

58-2000-2101X2
File # [illegible]
Lab. # D-144309 AX

No Lab. File

Examination requested by: SAC, Chicago

Date of reference communication: Let. 2-11-52 Date received: 2-14-52

Examination requested: Doc.

Result of Examination: Examination by: Cadigan

Specimens submitted for examination

Q1 Book 25, Register of Births A to K, 1904, January - June, of the Department of Health, Chicago, Illinois containing on page 179, line 6, this entry as follows "GIOE, CHARLES, Male, White, Born February 29 at 191 Morgan Street - Mother's name GIOE, ROSE."

Return Evidence

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Laughlin
Mr. Mohr
Tele. Room
Mr. Holloman
Miss Gandy

TO : DIRECTOR, FBI (58-2000) CLASSIFIED BY SP5 CA/CW3 DATE: 2/25/52
3/21/95

FROM : SAC, SAN FRANCISCO (58-103)

SUBJECT: LOUIS CAMPAGNA, was., Etal.
BRIBERY; PAROLE MATTER

CONFIDENTIAL

AIR MAIL

At the present time in this case there is a lead outstanding in this office to exhibit several photographs of individuals who were previously incarcerated at Leavenworth Penitentiary, to one [redacted]

[redacted]

b3
b7D

Information of a very confidential nature was received from [redacted]

WPP:BL
cc: Chicago (AM) (58-194)

RECORDED - 45 SE 45

FEB 27 1952

INDEXED - 103

208

DIRECTOR, FBI (58-2000) 2/25/52

RE: LOUIS CAMPAGNA, was., Etal
BRIBERY; PAROLE MATTER

[redacted]

b3
b7D

DIRECTOR, FBI (58-2000) 2/25/52

RE: LOUIS CAMPAGNA, was., Etal
BRIBERY; PAROLE MATTER

[redacted]

b7D

names should be kept extremely confidential.

[redacted]

ing as a witness for the Federal Narcotics Bureau.

L-26

Invoice of Contents from
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

Date February 20, 1952 Case References RE: CHARLES GIOE
Suspected Alteration of Birth Record

Consigned to: SAC, Chicago

HF

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5A/cw

List of Contents

D-144309 AX

58-2000-

96-137-65

Mr. Harbo, 7625
Mr. Conrad, 7142
Mr. Downing, 6228 IB
Mr. Bowles, 7600
Mr. Parsons, 7121

Q1

REGISTERED MAIL 497433

COMM — FBI
FEB 20 1952
MAILED 30

Ret'd 2/20/52 jcc

SPECIAL INSTRUCTIONS: Mail Room, place date of shipment and registry number; Shipping Room, show date of shipment and initial this invoice; then return it to person whose name is checked in column at right. After this checked name has been initialled, invoice should be placed in administrative file.

69 MAR 11 1952

7-26

Invoice of Contents from
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

yellow

Date February 20, 1952

Case References ~~RE: CHARLES GIOE~~
Suspected Alteration of Birth Record

Consigned to: ~~SAC, Chicago~~

95-43765

All items listed below are contained in this package. A detailed description of the items will be found in Laboratory Report # ~~D-1144309 AX~~.

Q1

REGISTERED MAIL

497433

COMM - FBI
FEB 20 1952
FEB 20 1952

File
58-2000-7-Jm
~~95-43765~~-

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

FILE NO.

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	2/28/52	2/20/52	JOHN R. PHILIPS, Jr. (A) cl

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., et al	PAROLE MATTER - BRIBERY

SYNOPSIS OF FACTS:

Hearing on revocation of parole of PAUL DE LUCIA, United States District Court, Chicago, Docket 50-C1643, continued to April 4, 1952 before United States District Judge MICHAEL L. IGOE, Chicago, Illinois.

- P -

DETAILS:

AT CHICAGO, ILLINOIS

Records of the Clerk of the United States District Court, Chicago, Docket 50-C-1643, relative to a hearing on the revocation of the parole of PAUL DE LUCIA, previously scheduled for January 11, 1952, disclosed that this hearing, on motion of the petitioner, was continued to April 4, 1952, before United States District Judge MICHAEL L. IGOE, Chicago, Illinois.

1cc Dept 3/5/52

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/82 BY SP5 [illegible]

- P E N D I N G -

APPROVED AND FORWARDED: H T O'Connor SPECIAL AGENT IN CHARGE

COPY IN FILE

DO NOT WRITE IN THESE SPACES

58-2000-2103

RECORDED - 160

INDEXED - 160

FEB 29 1952

COPIES OF THIS REPORT
3 - Bureau (58-2000)
3 - Atlanta (1 USA Atlanta) (58-62)
1 - USA, Chicago
2 - Chicago (58-194)

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63 MAR 6 1952

U.S. GOVERNMENT PRINTING OFFICE 16—59255-1

CG 58-194

ADMINISTRATIVE PAGE

LEADS

THE CHICAGO DIVISION

At Chicago, Illinois

Will follow and report action on the hearing on revocation of parole of PAUL DE LUCIA, United States District Court, Chicago, Docket 50-C-1643.

REFERENCE

Report of Special Agent JOHN R. PHILIPS, Jr., Chicago, December 27, 1951.

FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (58-2000)

DATE: March 12, 1952

FROM : SAC, Atlanta (58-62)

SUBJECT: LOUIS CAMPAGNA, was., etal
BRIBERY; PAROLE MATTER

Remylet 12/29/51.

Assistant U. S. Attorney H. H. TYSINGER, NDGA, Atlanta, Georgia, has advised that the Attorney General has recommended against appealing of the decision of the Honorable E. MARVIN UNDERWOOD, U. S. District Court Judge, which decision granted discharge to petitioners LOUIS CAMPAGNA and CHARLES GIOE. Mr. TYSINGER stated that the motion by the appellant to dismiss the appeal and an order that the appeal be docketed and dismissed in the U. S. Circuit Court of Appeals for the Fifth District have been forwarded to that Circuit Court of Appeals.

The Bureau and the Chicago Division will be promptly advised when instant matter has been closed in the office of the United States Attorney, Northern District of Georgia.

Copies of the motion by the appellant to dismiss appeal and an order that the appeal be docketed and dismissed are enclosed for the Bureau and Chicago Division.

ENCLO. ATTACHED

135 ENC.

RES:bmb
Enclosure

cc Chicago (58-194)(Encl.)

58-2000-2104

RECORDED - 135

34

EX-50

MAR 19 1952

ENCLOSURE: TO BUREAU (58-2000)

RE: LOUIS CAMPAGNA, was., etal
BRIBERY; PAROLE MATTER

Motion by Appellant to Dismiss Appeal
Order that the Appeal be docketed and dismissed.

3/7/95 SP5 ea/cw

ENCLOSURE

2104

IN THE UNITED STATES

CIRCUIT COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. _____

WILLIAM H. MAY, Warden United States Penitentiary Atlanta, Georgia, Appellant vs. LOUIS COLAIANNA and CHARLES OLA, Appellees	:	Nos. 8263 and 8300 Consolidated Habeas Corpus

MOTION TO DOCKET APPEAL AND DISMISS

The United States Attorney for the Northern District of Georgia, attorney of record for the appellant, having presented the foregoing motion to docket and dismiss the appeal, it is

ORDERED, ADJUDGED and DECREED that the above styled appeal be docketed and dismissed in accordance with the rules of this court, without cost to either party.

At New Orleans, Louisiana, this _____ day of February, 1962.

_____

Judge, United States Circuit Court
of Appeals for the Fifth Circuit

IN THE UNITED STATES

CIRCUIT COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. _____

WILLIAM H. MAY, Warden United States Penitentiary Atlanta, Georgia, Appellant vs. LOUIS COMITA and CHARLES WEIR, Appellees	:	Nos. 2550 and 2550 Consolidated Habeas Corpus

TO THE HONORABLE JUDGES:

MOTION BY APPELLANT TO DISMISS APPEAL

The Solicitor General of the United States having recommended against the appeal from the United States District Court for the Northern District of Georgia to this Honorable Court, and notice of appeal having been filed and served, with extensions of time for filing and printing the record by appellant, the appellant now moves, before the transcript of record is filed, to docket the appeal and dismiss same in accordance with Rule 16 and Rule 20.

_____
J. Ellis Lundy
United State Attorney

Consented to by:

_____
Harvey H. Dyar, Jr.
Assistant United States Attorney

_____
Attorneys of Record
for the Appellees

_____
A. D. Gottshall
Attorney, Department of Justice

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (58-2000) DATE: March 28, 1952

FROM : SAC, Atlanta (58-62)

SUBJECT: LOUIS CAMPAGNA, was; ETAL
BRIBERY; PAROLE MATTER

AUSA HARVEY H. TYSINGER, Northern District of Georgia, Atlanta, Georgia, has furnished the Atlanta Office with a certified copy of an order of the U. S. Court of Appeals, Fifth Circuit, New Orleans, Louisiana, dismissing the Government's appeal in the captioned matter. The certified copy bears the name and seal of Mr. F. L. BEERS, Clerk of the U. S. District Court, Northern District of Georgia, signed J. L. MOORE, Deputy Clerk. A copy of this order is forwarded as an enclosure to this letter to the Chicago Division.

In view of this action, the Atlanta file in this matter is being RUCd.

GHT:bsh

cc-Chicago (58-194)(Encl.-1)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/82 BY SP5 alm

58-2106-2105

RECORDED-17

MAR 31 1952

EX-25

771

93 APR

cc: Mr. Ladd
Mr. Rosen
Mr. Winterrowd
Mr. Price
Mr. Bryant

SAC, Chicago

April 3, 1952

Director, FBI

RECORDED - 73 62-2106

LOUIS COMPAGNA, WA., ET AL
PAROLE MATTER - EXTORTION

EX-23

Drew Pearson, in his broadcast on February 10, 1952, stated, "A meeting of the Mafia, Black-Hand Society, was held at the home of Tony Accardo to elect new head of the powerful underworld society. The new leader is Paul De Lucia, otherwise known as Paul "The Waiter" Ricca, now the most powerful hoodlum in the world."

The Department has requested information from this Bureau as to whether or not the above-indicated statement by Pearson has any basis in fact.

Mr. Pearson was interviewed and he has confidentially advised that he received a letter from an informant in Chicago who has heretofore furnished him background information, which letter advised that a Mafia meeting had been held in the home of Tony Accardo, 915 Franklin Street, River Forest, Illinois. Pearson further advised that the informant provided the additional information which was not used by him in the broadcast.

"It took about 3 days to complete everything so they elected a new mob field leader in the USA. It is law -- (luchese). He was not present but his man, Joe Fulcer, was. On account of being on parole, all orders are coming through Joe Batters. Here is two Cadillac car licenses that was parked in the driveway near the garage: Illinois 1952, 321263 - 313629. The cars were both black and carried 4 men each. There was also a green Cadillac parked about a half block away. A long man got out and came in to Tony Accardo's home. He did not delay 15 minutes. He went in a room with Accardo, putting money in his pocket. He looks like a politician. Illinois 1952, 543.

"You spoke last night about Governor [illegible] (Arkansas) having his income fixed. His brother-in-law is Chief Roy Crain of Chicago with offices at 1121 South State Street in charge of uniformed police. He also had income tax trouble. He was being (?) for Senate crime probe but nothing ever came of it. He is always with Jack Guzik or Humphries in the Shangri-La restaurant."

It is requested that the Chicago Division immediately determine the identity of the owner of 1952 Illinois licenses 32126, 313629 and 543. It will be noted in the quoted letter above that

Tolson
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Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
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Tele. Rm.
Nease
Gandy

AMB:lk

MAILED 4
APR 4 1952
COMM-FBI

6 APR 16 1952

those licenses were observed on Cadillac automobiles whose occupants allegedly attended the meeting at Accardo's home. Identifying data should also be submitted as to the identity of the individuals who have been assigned those license numbers.

A reply setting out the requested information must be submitted to reach the Bureau not later than April 9, next.

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STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: March 31, 1952

FROM : L. B. Nichols

SUBJECT: LOUIS COMPAGNA, Wa., Et Al
PAROLE MATTER - BRIBERY

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5 alm

Tolson
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Glavin
Nichols
Rosen
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Holloman

With reference to Mr. Rosen's request of March 19, 1952, that I talk to Drew Pearson regarding the item he had on his February 10, 1952, broadcast to determine whether or not it was true and if he had additional information, Pearson told me he had received a letter from a confidential source of information in Chicago, who has heretofore furnished him background information, advising that a Mafia meeting had been held in the home of Tony Accardo, 915 Franklin Street, River Forest, Illinois. Pearson then went ahead and read the letter to me.

"It took about 3 days to complete everything so they elected a new mob field leader in the USA. It is law -- (luchese). He was not present but his man, Joe Bulger, was. On account of being on parole, all orders are coming through Joe Batters. Here is two Cadillac car licenses that was parked in the driveway near the garge: Illinois 1952, 321263 - 313629. The cars were both black and carried 4 men each. There was also a green Cadillac parked about a half block away. A lone man got out and came in to Tony Accardo's home. He did not delay 15 minutes. He went in a room with Accardo, putting money in his pocket. He looks like a politician. Illinois 1952, 543.

"You spoke last night about Governor McMath (Arkansas) having his income fixed. His brother-in-law is Chief Roy Crain of Chicago with offices at 1121 South State Street in charge of uniformed police. He also had income tax trouble. He was being (?) for Senate crime probe but nothing ever came of it. He is always with Jack Guzik or Humphries in the Shangri-law Restaurant."

After reading the letter, Drew told me that for our strictly personal and confidential information he has received considerable information over a period of time from this source which checks out. He does not know the identity of the source and the letters come to him anonymously. Since I told him we were making the inquiry at the request of McInerney he did not want us to divulge the identity of his source. I told Pearson we would be governed by his wishes.

cc - Mr. Ladd
Mr. Rosen

LBN:MP

RECORDED - 73 58-2000-2106
INDEXED - 73
16

EX-20

Assistant Attorney General
James M. McInerney

RECORDED - 93 ~~54-2-2107~~

Director, FBI

54-2107

LOUIS LAMPASIA, was., ET AL
PAROLE MATTER - BRIBERY
Your reference JMM:AEG:ls 51-23-83

April 11, 1952

Reference is made to your memorandum of March 11, 1952, advising that in the first or second week in February 1952, on his regular Sunday evening radio broadcast, columnist Drew Pearson made the statement that a secret meeting was held at the home of Tony Accardo, Chicago gangster, at which Paul De Lucia was elected head of the Mafia. You requested that Mr. Pearson be interviewed for the purpose of ascertaining whether there was any basis for the above statement.

Mr. Pearson was contacted by one our representatives to obtain specific information regarding the above statement. Mr. Pearson advised that the following information was furnished by an individual who desired that his identity not be disclosed:

"It took about 3 days to complete everything so they elected a new man field leader in the USA. It is law -- (luchese) He was not present but his man, Joe Bulger, was. On account of being on parole, all orders are coming through Joe Batters. Here is two Cadillac car licenses that was parked in the driveway near the garage: Illinois 1952, 321263 - 313629. The cars were both black and carried 4 men each. There was also a green Cadillac parked about a half block away. A long man got out and came in to Tony Accardo's home. He did not delay 15 minutes. He went in a room with Accardo, putting money in his pocket. He looks like a politician. Illinois 1952, 543.

"You spoke last night about Governor McMath (Arkansas) having his income fixed. His brother-in-law is Chief Eby Brain of Chicago with offices at 1121 South State Street in charge of uniformed police. He also had income tax trouble. He was being (?) for Senate crime probe but nothing ever came of it. He is always with Jack Cuzik or Humphries in the Shangri-la Restaurant."

Our Chicago Division determined that the 1952 Illinois licenses were registered in the names of the following individuals:

Number 321263 was issued to G. Marcie, 1263 Pratt Boulevard, Chicago, Illinois, for a Cadillac automobile. George Marcie is known to reside at this address and is Secretary-Treasurer of Local 777, Taxicab Drivers Union, Chicago, Illinois.

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ABE:jlw

61 APR 29 1952

COMM - FBI
APR 14 1952
MAILED 20

S. DEPT. OF JUSTICE
APR 13 1952
FBI
DIRECTOR

Number 313629 was issued to J. P. Climco, 629 Selbourne Road, Riverside, Illinois, for a Cadillac automobile. Joseph Climco is known to reside at this address and he is Business Agent for the Taxicab Drivers Union, Local 777, Chicago, Illinois.

Number 543 was issued to F. J. Reynolds of 2304 East 17th Place, Chicago, Illinois, for a Cadillac automobile. It is known that Captain Frank J. Reynolds of the Chicago Police Department resides at this address. Captain Reynolds has been in charge of various police precinct stations in the city of Chicago, Illinois.

The above constitutes all the information available to this Bureau concerning this matter.

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Tele. Room
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Gandy

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson
Mr. Ladd
Mr. Belmont
Mr. Clegg
Mr. Harbo
Mr. Nease
Mr. Tracy
Mr. Laughlin
Mr. Mohr
Tele. Room
Mr. Holloman
Miss Gandy

TO : Director, Federal Bureau of Investigation

DATE: March 11, 1952

FROM : James M. McInerney, Assistant Attorney General

JMM:ADT:esn
51-2[illegible]

SUBJECT: LOUIS COMPAGNA, was., et al
Parole matter - Bribery

* * *

This refers to your memorandum originating at Chicago under date of February 28, 1952, which advises that the hearing on the petition by Paul De Lucia for a writ of habeas corpus (Docket No. 50-C-1643), in connection with his arrest as a parole violator has been continued to April 4, 1952.

A recent occurrence, with a possible bearing on this proceeding as a whole, has come to our attention. In his weekly Sunday evening radio broadcast, on either the first or second evening in February, columnist Drew Pearson made the statement that shortly theretofore at a secret meeting at the home of Tony Accardo, Chicago gangster, the present defendant, Paul De Lucia, had been elected head of the Mafia. He offered no further comments beyond the bare statement.

It is requested that you contact or interview Mr. Pearson for the purpose of ascertaining whether or not the indicated statement has any basis in fact.

EXPEDITE PROCESSING.

MAR 18 1952

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/15/85 BY SP5A/aw

RECORDED - 73

INDEXED - 51-3000-2107

MAR 18 1952

EX-23

59 MAR 6 1952

SERVICE UNIT
SEARCH SLIP

4-22a

Supervisor Eddy Room 5730

Subj: J. P. Glenco

___ Exact Spelling
✓ All References
___ Subversive Ref.
___ Main File
✓ Restricted to Locality of
Ill.

Searchers Initial ET
Date 4-10

FILE NUMBER	SERIALS
NR	
Joseph	
58-2000-1160	1246, 1001

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/25/95 BY SP3 Cal/aw

Initialed

SERVICE UNIT
SEARCH SLIP

4-22a

Supervisor Eddy Room 5720

Subj: George D. Marcie

✓ Exact Spelling
✓ All References
___ Subversive Ref.
___ Main File
✓ Restricted to Locality of
Ill

Searchers
Initial EF
Date 4-10

FILE NUMBER	SERIALS
NR	
George	
62-75147-9-34 p240	
G. D.	
NR	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SBR/alw

Initialed

SERVICE UNIT
SEARCH SLIP

4-22a

Supervisor Eddy Room 5720

Subj: Frank J. Reynolds

Exact Spelling
All References
Subversive Ref.
Main File
Restricted to Locality of
NR.

Searchers
Initial EJ
Date 4-10

FILE NUMBER	SERIALS
62-19696	
98-1323-1	
62-75147-9-62 p40a	
Frank	
88-2090-32	
26-103185-10	14
62-75147-9-75 enc p28; 72	
enc p37a; 69 enc p31; 44	
62-27038-2364; 2466:	
F. J.	
62-7-44; 502; 493 nr.	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5a/aw

Initialed

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: March 19, 1952

FROM : Mr. Rosen

SUBJECT: LOUIS COMPAGNA, Wa., Et Al
PAROLE MATTER - BRIBERY

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/21/52 BY SP5 C/AD

Tolson ✓
Ladd
Clegg
Glavin
Nichols ✓
Rosen
Tracy
Harbo
Belmont
Lohr
Tele. Room
Nease
Gandy

Reference is made to the attached memorandum from the Criminal Division captioned as above, dated March 11, 1952, but received in the Bureau on the morning of March 19, 1952.

This memorandum requests that the Bureau interview Mr. Drew Pearson to determine whether there was any basis in fact in his radio broadcast in February at a secret meeting at the home of Tony Accardo, Chicago gangster. Paul De Lucia had been elected head of the Mafia.

Pearson stated on February 10, 1952, in his broadcast "Chicago. Meeting of Mafia, Black-Hand Society, was held at home of Tony Accardo to elect new head of the powerful underworld society. The new leader is Paul De Lucia, otherwise known as Paul "The Waiter" Ricca, now the most powerful hoodlum in the world."

It is to be recalled that De Lucia is allegedly the "judge advocate" of the underworld. He belonged to the Capone gang and came into his own after Capone's death. He was one of five gangsters who were paroled under suspicious circumstances in 1948 after serving one third of a ten year term of an anti-racketeering conviction in New York. The Bureau conducted investigation concerning their parole, and the parole of De Lucia and two others was subsequently revoked. Writs of heabeas corpus were filed and they are now free on bond.

RECOMMENDATION

It is recommended that Mr. Nichols contact Drew Pearson to determine any additional details which Drew Pearson might have in connection with the allegation he made on his broadcast of February 10, 1952.

Attachment
cc: MR. NICHOLS
EHW:rct

RECORDED - 73
INDEXED - 73
EX-4
APR 8 1952
16

SEP 2000 - 2107

Memo Tolson to Ladd 3-31-52 HBN

6 APR 16

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 9 1952

TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Laughlin
Mr. Mohr
Tele. Room
Mr. Holloman
Miss Gandy

WASH 11 FROM CHICAGO 9 25-36 PM

DIRECTOR URGENT

LOUIS CAMPAGNA, WA., ETAL, PAROLE MATTER DASH BRIBERY. REURLET APRIL THREE LAST. ONE NINE FIVE TOW IKK. LICENSE THREE ONE THREE SIX TWO NINE ISSUED TO J. P. GLIMCO, SIX TWO NINE SELBOURNE ROAD, RIVERSIDE, ILL. FOR A CADILLAC AUTOMOBILE. DURING INVESTIGATION OF CAPTIONED CASE IN NINETEEN FORTYEIGHT JOSEPH GLIMCO OF THIS ADDRESS ADVISED THAT HE WAS BUSINESS AGENT FOR THETAXICAB DRIVERS UNION, LOCAL SEVEN SEVEN SEVEN AFFILIATED WITH INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, CHICAGO AND THAT HE CONSIDERS CAMPAGNA ONE OF HIS CLOSE PERSONAL FRIENDS. NINETEEN FIFTY TWO ILL. LICENSE THREE TWO ONE TWO SIX THREE ISSUED TO G. MARCIE, ONE TWO SIX THREE PRATT BLVD., CHICAGO FOR A CADILLAC AUTOMOBILE. A. GEORGE D. MARCIE RESIDES AT THIS ADDRESS. THE FILES IDENTIFY GEORGE MARCIE AS SECRETARY TREASURER OF LOCAL SEVEN SEVEN SEVEN, TAXICAB DRIVERS UNION. NINETEEN FIFTY TWO ILL. LICENSE FIVE FOUR THREE ISSUED TO F. J. REYNOLDS. TWO THREE NAUGHT FOUR EAST SEVENTIETH PLACE, CHICAGO FOR A CADILLAC. CAPT. FRANK J. REYNOLDS,CHICAGO PD, RESIDES AT THIS ADDRESS. HE HAS BEEN IN COMMAND OF VARIOUS PRECINCT STATIONS.

O-CONNOR

HOLD PLS

RECORDED - 68

158-1000-2108

68 APR 28 1952

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3-29-84 SP5 CA

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (58-2000)

DATE: May 8, 1952

FROM : SAC, Chicago (58-194)

AMSD

SUBJECT: LOUIS CAMPAGNA, was., etal
BRIBERY; PAROLE MATTER

Rerep SA WILLIAM P. POOLE, San Francisco, October 17, 1951, San Francisco letter to Bureau and Chicago, February 25, 1952, and report of SAA JOHN R. PHILIPS, Jr., Chicago, February 28, 1952.

At the office of the U. S. District Court Clerk, Chicago, Docket No. 50-C-1643 relating to a hearing on the parole revocation of subject PAUL DE LUCIA, disclosed that on April 18, 1952 on a motion of the U. S. Attorney, this matter was continued by U. S. District Judge MICHAEL IGOE to May 16, 1952 for a hearing. The Bureau has previously been advised by Atlanta letter dated March 28, 1952, that the government filed a motion to dismiss its appeal from the findings of U. S. District Judge MARVIN UNDERWOOD, Atlanta, which motion apparently restores subjects CHARLES GIOE and LOUIS CAMPAGNA to their parole status. Thus it now appears that the only pending action in this case is that in U. S. District Court, Chicago, Docket No. 50-C-1643, now set for hearing on May 16, 1952 as mentioned above.

b7D

Reference is made to San Francisco letter of February 25, 1952 to the Bureau and Chicago concerning the lead in rep of SA POOLE, San Francisco, October 17, 1951, to exhibit photographs to one [redacted] for possible identification of one "JIMMIE RYAN", alleged to be the "pay-off man" for subjects CAMPAGNA and DE LUCIA (RICCA) in settling their income tax difficulties prior to their parole. Relet advised that further contacts with [redacted] are being deferred until completion of Federal Grand Jury actions on narcotics matters in San Francisco. It is believed that the lead now outstanding in San Francisco should be covered immediately if any information resulting therefrom is to be of any assistance in this case. UACB, San Francisco is requested to immediately endeavor to have [redacted] identify the photograph of the "JIMMY RYAN" alleged to be the "pay-off man" in this case, and set out appropriate leads by teletype so that this investigation can be carried to its logical conclusion by May 15, 1952.

JRP:VLS

cc - San Francisco (58-103) (AMSD)

RECORDED - 93 58-2000-2109
EX-18
34 MAY 9 1952

50 MAY 15 1952

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 22 1950

TELETYPE

Mr. Tolson	
Mr. Ladd	
Mr. Nichols	
Mr. Belmont	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Laughlin	
Mr. Mohr	
Tele. Room	
Mr. Holloman	
Miss Gandy	

12-45PM

WA 8 AND SAN FRANCISCO 1 FROM CHICAGO 22

DIRECTOR AND SAC SAN FRANCISCO URGENT

LOUIS CAMPAGNA, WAS., ETAL. PAROLE MATTER., BRIBERY.

REMYLET MAY EIGHT LAST. HEARING ON SUBJECT DE LUCIA SET FROM MAY SIXTEEN LAST CONTINUED TO MAY TWENTYFIVE NEXT FRO ARGUMENTS ON ADMISSABILITY OF EVIDENCE. USA, CHICAGO, DESIREES ANY REMAINING LEADS BUREAU HAS BE COMPLETED SINCE IT IS NOT KNOWN WHEN USDJ IGOE WILL FINALLY DISPOSE OF THIS CASE. SAN FRANCISCO REQUESTED TO SUTEL WHETHER INVESTIGATION REQUESTED IN RELET CAN BE MADE.

O-CONNOR

END AND ACK IN OR PLS

WA

CG R 8 WA RD

SF CG R 1 SF ELH

RECORDED - 24 58-2000-2110

EX-80

26 JUN 5 1950

61 JUN 13 1950

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5 [illegible]

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT CHICAGO

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	8/13/52	5/7,22;8/7/52	JOHN R. PHILIPS, JR. (A) ECS

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, Was., et al	BRIBERY, PAROLE MATTER

SYNOPSIS OF FACTS: Records U. S. District Court Clerk, Chicago, Docket 50-C-1643, reflect that case involving parole revocation of PAUL DeLUCIA taken under advisement by U. S. District Judge MICHAEL IGOE as to evidence agreed to as of 5/16/52. Date of further court action not known.

- P* -

DETAILS: AT CHICAGO, ILLINOIS

G. I. R. - 3

EXPEDITE PROCESSING

At the office of the U. S. District Court Clerk, Chicago, docket sheet on the case involving parole revocation proceedings of PAUL DeLUCIA, Docket Number 50-C-1643, disclosed that on May 16, 1952, this case was taken under advisement on the record and the Government was given ten days to file objections to any data presented by DeLUCIA's counsel. On May 29, 1952, the government filed objections to some of the evidence offered by DeLUCIA's attorneys, and the court entered an order as to evidence agreed to as of May 16, 1952, and Judge MICHAEL IGOE took the case under advisement. No date or indication as to date of disposition was shown.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5 alw

Assistant U. S. Attorney ANTHONY SCARIANO,

APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

58-1 2000 - 211 RECORDED - 16

26 AUG 18 1952

22

EX. - 69

COPIES OF THIS REPORT
(3) - Bureau (58-2000)
2 - San Francisco (58-103)
1 - USA, Chicago
2 - Chicago (58-194)

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

68 SEP 2 1952 U. S. GOVERNMENT PRINTING OFFICE 16—59255-2

Chicago, advised on May 22, 1952 that he has no information as to the date of any further action by the court in this matter; however, Mr. SCARIANO stated that any further pertinent information or evidence in this case would be helpful and of interest to his office.

- P* -

CG 58-194

ADMINISTRATIVE PAGE

LEADS

THE SAN FRANCISCO DIVISION

At San Francisco, California

b7D

Will, as soon as feasible, interview [redacted] presently in custody for narcotics violation, and exhibit to him photographs in accordance with lead set out in report of SA WILLIAM P. POOLE, San Francisco, 10/17/51.

THE CHICAGO DIVISION

At Chicago, Illinois

Will follow and report court action in the case relating to revocation of parole of PAUL DeLUCIA, U. S. District Court Docket No. 50-C-1643.

REFERENCES

Report of SAA JOHN R. PHILIPS, JR., Chicago, 2/20/52.
Chicago letter to Bureau and San Francisco, 5/8/52.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (58-2000)

DATE: August 15, 1952

FROM : SAC, SAN FRANCISCO (58-103)

SUBJECT: LOUIS CAMPAGNA, was., Et Al,
BRIBERY; PAROLE MATTER
(Origin-Chicago)

Remytel to Chicago dated May 22, 1952 which indicated that Assistant United States Attorney JOSEPH KARESH, San Francisco, advised that [redacted] was at the present time in solitary confinement on instructions of the United States Bureau of Prisons as a result of the matter discussed in my letter dated February 25, 1952. KARESH indicated that since [redacted] as the witness in a very important Federal narcotics case in this area, he preferred that no attempt be made to contact [redacted] at that time so that it will interfere with the latter's co-operation as a witness in the narcotics case. b7D

Mr. KARESH has been subsequently recontacted and he advised that this particular narcotics case will go to trial in the latter part of [redacted] or the first part of [redacted] and it was his desire that [redacted] not be contacted by this Bureau until this particular trial is over.

Unless advised to the contrary by the Bureau, Mr. KARESH's wishes will be followed in this matter.

WPP:jms
CC Chicago (58-194)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/7/95 BY SP5 cla/aw

RECORDED - 40 58-2000-2112

EX. - 73

AUG 25

6-

68 SEP 2 1952

FEDERAL BUREAU OF INVESTIGATION

Form
THIS CASE ORIGINATED AT

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
CHICAGO, ILLINOIS	10/6/52	9/30/52	JRP:TMT/dk JOHN R. PHILIPS, Jr. (A)

TITLE	CHARACTER OF CASE
LOUIS CAMPAGNA, was., ET AL	BRIBERY; PAROLE MATTER

SYNOPSIS OF FACTS:

1cc Dept 10-15-52 gk

1cc detached + kept in room 5718. 10-15-52 gk

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/55 BY SP5 CAL/cw

Records, U. S. District Court Clerk, Chicago, Docket No. 50-C-1643, reflect that on 9/9/52 U.S. District Judge MICHAEL IGOE ordered subject PAUL DE LUCIA discharged to conditional liberty in custody of Attorney General under supervision of Board of Parole and that DE LUCIA remained at liberty on bond pending appeal by Government. Sixty days from 9/9/52 granted Government in which to appeal. USA, Chicago awaiting decision by Department as to appeal from Judge IGOE ruling. gk 2-1 gk 3-1 gk 6-1 G. I. R. -3

- P* -

DETAILS: AT CHICAGO, ILLINOIS

~~EXPEDITE PROCESSING~~ RE

Examination of Docket No. 50 - C - 1643 at the Office of the Clerk of the United States District Court, Chicago, disclosed that on September 9, 1952 pursuant to a memorandum previously filed, United States District Judge MICHAEL IGOE ordered that petitioner PAUL DE LUCIA be discharged to his conditional liberty in the custody of the Attorney General under the supervision of the Board of Parole and that said memorandum stand as the court's finding of facts and conclusions of law. It was further ordered that the existing bond of petitioner remain in full force and effect pending the taking of an appeal by the Government. The memorandum referred to before,

APPROVED AND FORWARDED: John F. Malone SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

58-2000-2113

COPIES OF THIS REPORT

(3) BUREAU (58-2000)
1 USA CHICAGO
2 SAN FRANCISCO (58-103)
2 CHICAGO (58-194) F205

63 OCT 31 1952

6 OCT 8 1952

RECORDED - 124

INDEXED - 124

STAT SECT.

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

29 OCT 27 1952

☆ U. S. GOVERNMENT PRINTING OFFICE 16—59255-2

entitled, "Memorandum Under Stipulation for Final Disposition", appears to have veen prepared by DE LUCIA's attorneys and apparently served as a summary of issue and argument before the court in this case. This memorandum presented certain arguments to affirm the habeas corpus action in this case and to reinstate DE LUCIA to his parole status. This memorandum was signed by United States District Judge IGOE opposite a notation, "Order to be presented September 9, 1952."

Assistant United States Attorney ANTHONY SCARIANO, Chicago, advised on September 30, 1952, that the ruling by Judge IGOE as of September 9, 1952, has the effect of restoring subject DE LUCIA to his parole status and permits him to remain at liberty on bond pending an appeal from Judge IGOE's ruling by the Government. Mr. SCARIANO stated that such appeal must be instituted within sixty days from September 9, 1952.

Mr. SCARIANO also stated that any new evidence received concerning possible parole violations by DE LUCIA or other subjects of this case would be evaluated, but it is doubtful that such could be used in connection with an appeal. Mr. SCARIANO stated that his office has written to the Department of Justice for a decision as to whether or not an appeal should be taken from Judge IGOE's ruling in this case. Such advice has not yet been received from the Department by Mr. SCARIANO.

4-312

DATE OF MAIL 10/23/52

HAS BEEN REMOVED FOR MR. LAMPHERE TO BE KEPT PERMANENTLY IN HIS OFFICE, ROOM 1736

SEE FILE 66-2554-7530 FOR AUTHORITY.

SUBJECT JUNE MAIL

REMOVED BY 60 NOV 28 1952

FILE NUMBER 58-2000-2114

PERMANENT SERIAL CHARGEOUT

64

RECORDED - 28 52-2000-215

The Attorney General
Director, FBI

November 17, 1952

PERSONAL AND CONFIDENTIAL

EX. 54

PAUL DeLUCIA (RICCA),
with aliases, et al
BRIBERY; PAROLE MATTERS

G. I. R. -8

Reference is made to the investigation you have requested in this matter and, specifically, that pertaining to the alleged statement of Paul DeLucia that the funds for the wedding reception held in January, 1948, for his daughter were provided by friends and guests.

I thought you would like to know that in this connection U. S. Attorney Korner at Chicago has advised our agents that he was thoroughly familiar with this phase of the DeLucia matter and purposely did not request the FBI to conduct investigation since he had formulated a strategy to place DeLucia on the stand under oath and then to cross-examine him. Korner added that he had hoped to catch DeLucia in a false statement and thus establish a basis for a perjury case. He explained that had he asked the FBI to investigate, it would have tipped his hand in this proposed strategy.

This is for your information. The investigation requested is being handled expeditiously.

DECLASSIFIED BY SP5 alw
ON 3/2/95

MAILED 2
NOV 18 1952
COMM-FBI

RECEIVED FBI
NOV 17 4 08 PM '52

JGL/mfl (11)

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Tele. Rm.
Holloman
Candy

79 DEC 1 - 1952

FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

FROM : Mr. Rosen

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 BY SP5A/AW

DATE: November 14, 1952

SUBJECT: LOUIS CAMPAGNA, Was.; CHARLES GIOE, Was.; PHILLIP D'ANDREA, Was.; PAUL DE LUCIA (RICCA), Was.; JOHN ROSELLI, Was.
BRIBERY
PAROLE MATTERS

Time of Call: 5:25 p.m.

SAC Malone called to advise that USA Kerner had been interviewed with respect to the action taken relative to DeLucia's (Ricco) claim that funds for the wedding reception held January, 1948, were provided by friends and guests. (We had investigated this reception at the request of the USA and determined that De Lucia paid for the reception out of his own pocket.) USA Kerner, according to Malone, seemed to be most frank and "on the level" with Malone and Supervisor Murphy, who interviewed him. Kerner stated he was thoroughly familiar with this phase and purposely did not request the FBI to conduct investigation since he had formulated a strategy to get De Lucia on the stand under oath and then to cross-examine him. Kerner stated that he had hoped to catch him in a lie and thus give rise to a perjury case. If he asked the FBI to investigate, then according to Kerner, it could "tip his hand in his strategy."

Malone further advised that Kerner offered his records but said there was nothing in writing concerning this matter although he claimed he orally discussed it with AUSA Lulinski.

Malone stated that he had been in contact with the Assistant Chief Probation Officer, John J. Collins, who stated he had to have the authority of the Bureau of Prisons in order to permit the Agents to review the file on De Lucia. He said he was sending a teletype on this.

In order to expedite this, Frank Loveland, Assistant Director of the Bureau of Prisons, was immediately contacted and he advised that he would call Chicago immediately. This was at 5:35 p.m.

This matter is being followed closely. A teletype confirming this, the above, will be sent in by Mr. Malone.

ADDENDUM

Mr. Loveland called back at 5:50 advising that he had told Collins to make the file available. Loveland was not informed as to the purpose of the review. Malone was advised of this and told to make necessary arrangements immediately.

EHW:HJK

cc: Mr. Clegg

58-2000-2115

RECORDED - 28

EX-54

NOV 19 1952

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

NOV 13 1952

TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Laughlin
Mr. Mohr
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

FBI CHICAGO 11-13-52 10-52 PM

DIRECTOR FBI U R G E N T

LOUIS CAMPAGNA WAS ETAL PAROLE MATTER., BRIBERY REBUTEL TODAY, CHICAGO DAILY NEWS FIVE STAR FINAL EDITION TODAY CARRIES HEADLINE QUOTE WHO SENT ORDER TO DROP CASE QUESTION MARK CALL FBI INTO RICCA MYSTERY END QUOTE WITH STORY THAT ATTORNEY GENERAL MCGRANERY TODAY DIRECTED BUREAU TO DETERMINE WHO WAS RESPONSIBLE FOR DEPARTMENTAL ORDER TO DROP RICCA PROCEEDINGS. OTHER CHICAGO PAPERS HAVE SIMILAR ARTICLES.

MALONE

END ACK PLS

Z1154 PM OK FBI WA ELR

RECORDED-84 58-2000-1.R. 2116
EX-105
NOV 19 1952

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5 CA/CW

51 NOV 26 1952

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

FROM : H. H. Clegg

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3D/95 BY SP5CAW

DATE: 11/17/52

SUBJECT: PAUL DeLUCIA alias PAUL RICCA
PAROLE MATTER
STATUS OF INQUIRY

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

G.I.R.

Friday afternoon in order to obtain necessary background information and files, I talked briefly to Acting Solicitor General Stern, with Assistant Attorney General Murray, and with Attorney A. E. Gottshall in the Criminal Division. The following highlights are of interest:

Mr. Stern advised that the Department did not appeal the decision in the "Campagna, et al" case and he understood that this was very thoughtfully considered and conferences were held prior to reaching such a decision. In considering the "DeLucia alias Ricca" case, there was but little more than what appeared in the Campagna case to consider. There had been some Congressional hearings, but no new testimony presented to the court and the only new item was the $12,000 wedding breakfast reception and expense. Judge Igoe said that DeLucia told his local parole officer about the $12,000 wedding party and that even if he hadn't, the money was income for the daughter instead of for DeLucia. Thus, there was no material substantial distinction between the DeLucia case and the preceding case which was not appealed.

The case came to the Solicitor General on November 7, which was the day before the time for appeal expired on November 8. The case came with a recommendation for no appeal from Mr. Gottshall, Mr. Ehrdal and Assistant Attorney General Murray of the Criminal Division with similar recommendation from the U. S. Attorney and the Parole Board. Even if they had had longer time the decision would have been the same.

Assistant Attorney General Charles B. Murray of the Criminal Division states that it was his job to notify the Attorney General about this matter and he has no special reason for failing to notify the Attorney General of the decision not to appeal.

He stated that he concurred in the decision not to appeal on November 7, the day before the appeal time ended. The following Tuesday he recalls he heard the name Ricca but had never heard of Ricca before. He had heard of Campagna and he knew of the case by the title "Campagna, et al." He might have recognized it as the case of such importance if the name DeLucia had been used, but he

yellow to Ladd

HHC:vlr

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EX. - 111

NOV 21 1952

62 DEC 3 1952

frankly did not recognize the name Ricca, an alias of DeLucia. It was Wednesday after the decision was made that he became acquainted with the real identity of the case.

He doesn't like the delay in the case and action should have been taken a month earlier with a decent letter going to the U. S. Attorney instead of the last minute wire.

Mr. A. E. Gottshall, who was handling this matter in the Criminal Division, stated that if the Attorney General should come in, he would tell him that he was sorry and that he apologized for the delay, that from the date of October 21 when he heard from the parole board until November 4, he frankly overlooked the urgency of the matter. He was so busy he needed more assistance on his desk and only three weeks ago got some additional help.

The telegram to the U. S. Attorney reporting that the Solicitor General has decided against appeal was dated November 7, stamped in the telegraph office of the Department at 6:04 P.M. on November 7, and was prepared by Attorney A. E. Gottshall.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

NOV 15 1952

TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Laughlin
Mr. Mohr
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

FBIZJ CHICAGO 11-15-52 4-52 PM

DIRECTOR, FBI URGENT

LOUIS CAMPAGNA, WAS, ETAL, BRIBERY., PAROLE MATTER. REMYTEL NOVEMBER FOURTEEN LAST. RECORDS U. S. PROBATION OFFICE, CG, REFLECT INTERVIEW OF DE LUCIA ON JULY NINE, NINETEEN FORTYEIGHT. AS SET OUT IN RETEL WAS BY FORMER CHIEF OF CHICAGO PROBATION OFFICE CHARLES W. FISHER AND PROBATION OFFICER JOSEPH G. COLOSIMO, DE LUCIA-S PAROLE SUPERVISOR AT THAT TIME. COLOSIMO ABSENT FROM HIS OFFICE ACCOUNT ILLNESS OF FAMILY BUT EXPECTED BACK NOVEMBER SEVENTEEN NEXT. FISHER REPORTEDLY RESIDES NORTH HOLLYWOOD, CALIFORNIA, AND LA REQUESTED TO INTERVIEW PER BUREAU INSTRUCTIONS. UACB, CG WILL INTERVIEW COLOSIMO NOVEMBER SEVENTEEN NEXT.

MCORR PLS LINE 8 LAST WD WHLD BE REPORTEDLY

LINE 10 WD 6 SHLD BE CG

MALONE

END AND CK PLS

5-55 PM OK FBI WA MFC

TU DIS PLS

79 NOV 26 1952

RECORDED-84 58 — 2000-2117

EX-105

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY SP5 CAW

ENCLOSURE TO BUREAU: 1 printed copy of opinion of U. S. District Judge Michael L. Igoe, Chicago, dated 9/9/52.

RE: LOUIS CAMPAGNA, was., et al
BRIBERY; PAROLE MATTER
(Bufile 58-2000)

CG 58-194

3b/55 SPS c/aw

ENCLOSU

ENCLOSURE

2118

IN THE

United States District Court

FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION.

No. 50 C 1643

THE UNITED STATES OF AMERICA,
ex rel. PAUL DeLUCIA,
Petitioner-Appellee,

vs.

THOMAS P. O'DONOVAN, United States Marshal,
Respondent-Appellant.

Habeas Corpus.

HONORABLE MICHAEL L. IGOE, DISTRICT JUDGE.

OPINION

WM. SCOTT STEWART,
77 W. Washington Street,
Chicago, Illinois,
Counsel for Appellee.

GEORGE F. CALLAGHAN,
105 W. Adams Street,
Chicago, Illinois,
Of Counsel for Appellee.

OTTO KERNER, JR.,
United States Attorney,

JOHN PETER LULINSKI,
Asst. United States Attorney,
Attorneys for Appellant.

BARNARD & MILLER 33 S. Market St., Chicago 6. FRanklin 2-0562

58-2000-2118

IN THE

United States District Court

FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION.

No. 50 C 1643

THE UNITED STATES OF AMERICA, ex rel. PAUL DeLUCIA, Petitioner-Appellee, vs. THOMAS P. O'DONOVAN, United States Marshal, Respondent-Appellant.	Habeas Corpus

HONORABLE MICHAEL L. IGOE, DISTRICT JUDGE.

MEMORANDUM UNDER STIPULATION FOR FINAL DISPOSITION.

This is the second Habeas Corpus proceeding by Paul De Lucia. It appears subsequent to the case of *U. S.* v. *O'Donovan*, 82 F. Supp. 435, affirmed 178 F. 2d. 876, Dr. Killinger, Chairman of the Parole Board, issued a new parole violation warrant on November 22, 1950. Petitioner, on November 24, 1950, filed his Petition for Writ of Habeas Corpus and thereafter first and second amended petitions, which amended petitions added Dr. Killinger and the Parole Board as Respondents. On December 4, 1950, Motion of the Government to Dismiss Dr. Killinger and the Parole Board on jurisdictional grounds

was allowed and the present Respondent is the U. S. Marshal. Upon rule to show cause why the writ should not issue, the Marshal filed his answer and amended answer, rule to show cause was allowed, and thereafter, on February 16, 1951, Respondent filed return to the writ which petitioner traversed and respondent filed replication.

Under agreement of the parties and consent of the Court, this matter has been continued from time to time pending the outcome of *Campagna, et al.* v. *Hiatt,* in the District Court in Atlanta, Georgia, decided September 18, 1951, reported in 100 F. Supp. 74, with subsequent appeal dismissed by the Government.

The parties on May 27, 1952, *nunc pro tunc,* as of May 16, 1952, stipulated, subject to respondent's objection as to materiality, competency and relevancy, that the Court consider as evidence on behalf of Relator's position the following:

Atlanta Proceeding, June 11-14, 1951.

Testimony of Dr. Killinger, Chairman of the Board, beginning at Page 4.
Testimony of Mr. Lasho, Page 201, of transcript.
Testimony of Louis Campagna, Page 201, and Charles Gioe, Page 303.
Testimony of Eugene Bernstein, Page 370.
Letter from Chief Probation Officer Fisher to Parole Executive Urich dated March 8, 1948, at Page 64 of First Supplement to Motion of Campagna and Gioe in the case of *Campagna* v. *Hiatt, et al.*
Letter from Dr. Killinger to Fisher dated March 25, 1949, Page 130.
Letter from Fisher to Dr. Killinger dated April 8, 1949, Page 131.
Deposition of Mrs. Cook, Airline Hostess, at Page 132.

OTHER EVIDENCE.

Testimony of Colosimo before the Hoffman Committee, found in Relator's traverse of July 7, 1948 in the first De Lucia proceedings and in this cause, and Thereafter, the Court to take this matter under advisement.

The Government's principal objections to the evidence follows:

The evidence of the airplane trip and tax settlement at Atlanta, Georgia is applicable only to Campagna, and Gioe and De Lucia was not before that Court.

The present warrant dated November 22, 1950, is based on charges different than the July 1948 warrant.

The evidence at Atlanta refers to matters prior to March 1948, and the present warrant was issued two and one-half years later and based on different charges.

Relator's previous statements and affidavits apply to the 1948 warrants and are not here applicable.

The Government has controverted all of Relator's statements and affidavits by its pleadings and the writ should be discharged.

Neither party has offered or tendered further proof and the Court concludes the evidence of both parties is before the court and the same constitutes a full and complete hearing of the respective contentions. The present motion filed by Relator is that the Court make final disposition of this cause on the record as it now stands.

Relator contends the instant proceeding is moot because subsequent to this proceeding Relator was again placed on parole. The court is of the opinion such Board action was to continue supervision during the present litigation and should not be construed as abandonment

of the charge of parole violation. Relator further contends the charges contained in the November 22, 1950 *De Lucia* case, are now *res adjudicata;* that the Relator has never violated his parole, the Board has no new evidence, and therefore the present warrant was arbitrarily issued without any evidence, and therefore a nullity and Relator is entitled to relief by habeas corpus.

The following referrals were charged in the first case:

"Present offense:

1. Failure to make full and truthful written reports to the Supervisor of Parole.
2. Untruthful statements covering expenditures during the months of December 1947, and January 1948.
3. Association with persons of bad reputation.
4. Failure to conduct himself honorably.
5. Failure to reveal source of monies used in settlement of Internal Revenue Tax, when questioned before a legally constituted body."

Referrals in the instant case are:

"Present offense:

1. Failure to make full and truthful parole report covering expenditures during the month of January, 1948.
2. Failure to reveal source of monies used in settlement of Internal Revenue Tax when questioned before a Federal Grand Jury.
3. Failure to reveal source of monies used in settlement of Internal Revenue Tax when questioned before a Congressional Committee of the Eighty-first Congress.

4. Failure to reveal the identity of two traveling companions on the TWA flight from Kansas City, Missouri, to Chicago, Illinois, August 13th, 1947 when questioned before a Federal Grand Jury.
5. Failure to conduct himself honorably.

Comparing the former with the present referrals, number one is identical except the month of January, 1948 is in the present referral; two is the same as number one in the present referral, except here, December 1947 and January 1948 are designated; former three has been omitted in the case at bar unless it means the airplane trip; four is identical with present five; former five is the same as present two and three except the legal bodies are designated as Grand Jury and Committee, and present number four is new unless contained in the general charge.

In the memorandum and explanation of the referrals, present number one relates to the wedding breakfast and subsequent reception for De Lucia's daughter at the Blackstone Hotel on January 24, 1948. The charge is based that money given by guests at the wedding breakfast and reception was not reported as income to the parole authorities on petitioner's monthly report. The local parole agent at the time had a complete report from petitioner that the money contributed by such guests was the property of the newly married couple and not income to petitioner. Such report was accepted by the parole authorities and there is no evidence to establish such funds belonged to petitioner and should have been reported as income to him.

Referrals two and three relate to petitioner's failure to disclose the source of money used in settlement of his federal income tax when questioned by a 1947 Grand Jury and a special congressional committee in 1950. Peti-

tioner's tax liability was settled by his attorney at Chicago under unusual circumstances. Petitioner under oath has stated, he did not under the 1948 warrant, nor under the present proceedings, nor at the time of the 1947 Grand Jury and the 1950 Special Committee, know the source of the funds used for the payment of his tax, and there is no evidence that he did know the source. Other than suspicious circumstances, the Government has no further proof and there is no evidence to support this charge. Referral four charges on August 13, 1947, when petitioner was paroled, there were two additional traveling companions on the airplane trip from Kansas City to Chicago whose names petitioner refused to reveal to the parole board and the 1947 Federal Grand Jury. Petitioner in the prior proceeding and here denies he knew the other two passengers; his testimony is he had no conversation or association with them during the trip and upon arrival at Chicago went directly to his home in a taxi with Louis Campagna who lived near him. This is substantiated by the Campagna testimony in the Atlanta case, and the Government has no evidence to the contrary. Referral five relates to and is dependent upon the preceding four referrals.

There is no direct evidence of parole violation under the present warrant. The charges are predicated upon the same circumstances, events and evidence as the 1948 warrant. Such charges and explanations are based upon inferences and conclusions assumed or felt by the Board to exist and there is no other or further evidence of a competent legal nature to the contrary.

The present statute, Sec. 4205, Title 18, U. S. C. A. omits "reliable information", and now provides for a warrant for one who has violated his parole. Respondent contends reliable information is not required nor indeed is any information now required to support a warrant

of revocation. Such contention would result without redress in the arrest and detention of a parolee who has fulfilled all requirements of his parole, and entitled to remain on parole. The court may not adopt such contention. Before a prisoner is paroled, certain statutory facts and circumstances are required to be present, born from the nature of the offense, good prison conduct, the likelihood of rehabilitation, and the effect on society. These, together with others, relate to the right of a prisoner to parole which the Board under the statute considers. Whether there exists sufficient facts and circumstances to justify the exercise of requisite statutory discretion remains with the Board. When favorably exercised, a new status or legal right arises, the prisoner is admitted to parole and allowed to serve his remaining sentence outside prison walls under supervision and monthly report to his local parole officer. Such parole rightfully merited and earned under the statute invests in the parolee a status or right which he has the right to defend by due process in a court of law. In such case where it is alleged the parole termination was unlawful, the court is required to inquire into the legality of detention.

The parole laws are for the protection of society as well as rehabilitation of the parolee. If a prisoner be required to serve his maximum sentence he is ultimately turned back into society without supervision, and in many instances without adequate rehabilitation. When a parolee, as here, is normally adjusting and abiding by the terms of his parole, no parole violator's warrant should issue under the present statute without substantial evidence of a parole violation. To do so permits interruption of the rehabilitation by separation from family and job, thereby delaying and demoralizing the parolee. This is a loss to society and the unwarranted

interruption imperils, and in many cases, would destroy the rehabilitation and the parole structure. The court is of the opinion such was not the congressional intent. Where the parole has been rightfully earned and the process of rehabilitation entered into with satisfactory progress, the court is of the opinion the congressional intent is such progress shall not be lightly interrupted and only disturbed upon substantial evidence of a parole violation. Here, prior to the present warrant neither the local parole officers, nor any member of the Board appearing before the committee, had or knew of any facts or information of parole violation, considered petitioner was adjusting normally and was a good parole risk. During the pendency of this proceeding, no new evidence of a parole violation has been brought to attention, and the court is of the opinion had such been the case, it would have been presented to the court.

Having in mind the principles of the first case on appeal, the opinions of the District and Circuit Courts of the Fifth Circuit in the Campagna and Gioe cases, and from the evidence, arguments and briefs before the court, the court finds the present warrant is based upon the same charges as contained in the 1948 warrant, and there is no substantial or legal evidence to justify the charge of parole violation. The basis of both warrants are the conclusions arrived at by the present Board from inferences and suspicion created by the unfavorable publicity in the former Board granting the three paroles and the desire of the current Board to be relieved therefrom. Such are insufficient to support a warrant for parole violation and the same was arbitrarily issued without evidence and therefore a nullity.

The restraint by respondent is illegal and Relator is discharged, not to complete liberty, but to conditional

liberty, in the custody of the Attorney General under supervision of the Board of Paroles, as a reinstated parolee.

Judgment will be entered accordingly. Order to be presented to the Court September 9th, 1952.

MICHAEL L. IGOE,
District Judge.

Dated this 21st day of
August, A. D., 1952.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (58-2000) DATE: November 17, 1952

FROM : SAC, Chicago

SUBJECT: LOUIS CAMPAGNA, was., et al
BRIBERY; PAROLE MATTER

Re Bureau phone calls to the Chicago office November 17, 1952.

There is enclosed herewith to the Bureau one printed copy of the opinion of U. S. District Judge MICHAEL L. IGOE, Chicago, dated September 9, 1952, in the case entitled "U. S. ex rel. PAUL DeLUCIA vs. THOMAS P. O'DONOVAN, U. S. Marshal, Chicago, Docket 50-C-1643." This opinion is entitled "Memorandum under Stipulation for Final Disposition."

For the information of the Bureau, the following additional information is being set forth:

During review of the files of the United States Attorney, Chicago, on November 17, 1952, there was noted in a transcript of record in case No. 9788, in U. S. Court of Appeals, 7th Circuit, in this case, filed in U. S. District Court 12/31/48 and in the Court of Appeals 7/19/49, the following information on page 57:

"Judge ROGERS (believed to be Judge FRED S. ROGERS, Member, Parole Board at that time) testified on 6/7/48 that no complaint as to any violation had been received by the Board from the local authorities, and that the Board acted only on complaint. Further, that his reports showed no violation. Judge ROGERS testified further on 6/7/48 that the FBI would surely have reported any violation as it had given this case a thorough investigation and that no violation existed or had taken place, because if there had been any such thing, the FBI would have reported it."

JRP:MRS

Enc. (1)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/95 EX SP5 alw 361586

1 ENCL

58-2000-2118

EX-15

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